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Thomas Howard II, Third Duke of Norfolk, and the English Schism

Edwin Joseph Goerd
Loyola University Chicago

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Thomas Howard II, Third Duke of Norfolk, and the English Schism

By

Edwin J. Goerdts, S.M.

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Vita

Edwin Joseph Goerdts was born in Dyersville, Iowa, August 22, 1909.

He attended Xavier High School in Dyersville and Maryhurst Normal, Kirkwood, Missouri, and entered the Society of Mary in 1926.

The Bachelor of Arts degree with a major in English was conferred by the University of Dayton in 1931. A supplementary degree of Bachelor of Arts with a major in social sciences was conferred by St. Mary's University, San Antonio, Texas in 1937.

Since 1931 the writer has taught in the schools of the Society of Mary in St. Louis, San Antonio, and Chicago.

INTRODUCTION

Thomas Howard II, Third Duke of Norfolk, was, after the death of his father in 1524, the chief of the old nobility in England. He was the outstanding military leader and one of the chief diplomats of the reign of Henry VIII. After the fall of his rival, Wolsey, he was for a time the most powerful man in England. He served the king in everything, yet he remained a Catholic. After spending the reign of Edward VI in prison he was pardoned by Mary and taken into her Council. What role did this outstanding lay Catholic play in the English schism? It is our purpose in this thesis to study Norfolk's activities in relation to the divorce and the separation from Rome, to discover what part he played in bringing them to a successful conclusion, and to form an evaluation of his character. The period covered will be 1527-1547. It is not proposed to study his military and diplomatic activities except in so far as they affected the divorce and schism.

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CHAPTER I

THE YEARS BEFORE 1527

The greatness of the Howard family was established by the marriage of John Howard to Margaret Mowbray, daughter of Thomas Mowbray. This Thomas was the grandson of Margaret Plantagenet, Duchess of Norfolk, whose father was Thomas Brotherton (1301-38), first earl of Norfolk and Earl Marshall of England. Thomas Brotherton was the son of Edward I (d.1307).¹ The title Duke of Norfolk was hereditary in the Mowbray family but in 1483 the direct line of Mowbrays died out and the title Duke of Norfolk passed to the next of kin, John Howard. On June 28, 1483, he was made Duke of Norfolk and Earl Marshall by Richard III. Thus John Howard became the First Duke of Norfolk of the Howard line.²

This duke had one son, Thomas, born in 1443. Thomas was knighted in 1473 and in 1483 was created Earl of Surrey at the time his father was made Duke of Norfolk. At the same time he was made a Knight of the Garter, a member of the Council, and Lord Steward of the King's household.³

The Howards submitted to the usurpation of Richard III in

1 Dictionary of National Biography, 63 vols., Leslie Stephen and Sidney Lee, eds., Macmillan Company, N.Y., 1908 X, 62

2 Ibid., 43

3 Ibid.

1483 and both seem to have followed the principle of serving the actual wearer of the crown, whoever he might be. This resulted in the temporary ruin of the newly established fortunes of the Howards, for they fought on the losing side at Bosworth. The Duke was killed, Surrey was wounded and taken prisoner. Surrey and his dead father were attainted, their goods and titles confiscated and Surrey placed in the Tower.⁴

Thomas Howard, lying in the Tower,⁴ continued to follow the principle of loyalty to the actual wearer of the Crown, and thereby obtained freedom and began the long struggle of restoring the titles and fortunes of his family. In 1487 the Earl of Lincoln, nephew of Edward IV and Richard III led a rebellion against the new Lancastrian king, Henry VII. On June 16 of that year the rebels engaged the king's forces in a furious battle at Stoke. A report reached London that the rebels had won. Howard's jailer offered him his freedom but the prisoner disdainfully replied that he would accept freedom only from the king who had imprisoned him. The incident was reported to Henry VII who decided that such a man might be of use to him. Accordingly, Thomas Howard was released from the Tower in January, 1489, and his title Earl of Surrey was restored to him, together with those properties he held through his wife. Rightfully he should have become Duke of Norfolk but this was denied him. Neither did he

 4 Sanford, John L. and Townsend, Meredith, The Great Governing Families of England, 2 vols., Blackwood and Sons, London, 1865, II, 315

receive the confiscated lands he had inherited from his father.⁵

The king soon made use of Surrey. In 1489 there was a rebellion in Yorkshire, caused by high taxes. The Earl of Northumberland was slain by the rebels and Henry VII appointed Surrey captain of the army sent to restore order. He fulfilled his charge well, put down the rebellion, and hanged the leader at York.⁶ The king rewarded him by making him Lieutenant General of the North and Warden of the East and Middle Marches against Scotland. In 1501 he was made Lord Treasurer of England and in 1501 Earl Marshall for life. But the avaricious Henry VII still refused to restore his properties or the Dukedom.⁷

Thomas Howard had married Elizabeth Tilney by whom he had five children. The eldest son was Thomas II, the future Third Duke of Norfolk. Little is known of his early years and education. During his father's imprisonment he probably lived at his mother's home with his brothers and his uncle, John Bouchier, the future translator of Froissart. He probably shared in the excellent education given the latter.⁸

In 1484 when Thomas was only eleven years old he was betrothed to Lady Ann, the fifth daughter of King Edward IV and his queen Elizabeth Wodeville. Lady Ann had previously been betrothed to Prince Philip of Austria. This was Philip the Fair

5 Ibid., 315, 316

6 D.N.B., X, 64

7 Sanford and Townsend, 317, 318

8 Brenan, Gerald and Statham, Edward P., The House of Howard, 2 vols., Hutchinson and Co., London, 1907, I, 119

who later was to marry the heiress of Spain and become the father of Emperor Charles V. The death of Edward IV in 1483 cancelled Ann's betrothal to Philip. Her betrothal to Thomas Howard was likewise nullified by the disgrace the Howards suffered as a result of Bosworth Field.⁹ Then the new king, Henry VII, married Ann's eldest sister, Elizabeth, and through her influence the match was revived and the marriage performed in 1495 in the presence of Henry VII. Henry's previous opposition to the marriage was probably lessened by the fact that he now had two sons, Arthur and Henry, and felt secure about the succession. Likewise the marriage "attached to the Crown a very powerful family, which represented one branch of the Blood Royal, as inheriting the dignity of Earl Marshall by descent from Edward of Brotherton, the youngest son of King Edward I."¹⁰

Young Howard served under his father, the Earl of Surrey, in the campaign against the Scots in 1497 and was knighted by him in the following year. Henry VII, however, not very anxious to give a young man of such ancestry a chance to win honors kept him for the most part at court where he served as a rather unwilling ornament. No doubt he hailed the accession of the youthful Henry VIII in 1509 as a harbinger of more active days.¹¹

His first taste of fame came two years later when he and

 9 "Anne Lady Howard" in The Gentlemens' Magazine, John Bowyer Nichols and Son, London, Vol. 23 New Series, 1845, pt. 1, 147

10 Ibid., 151

11 Brenan and Statham, I, 121

his brother Edward captured Andrew Barton, a notorious Scottish pirate. The King of Scotland was angry at his loss, the affair was widely discussed, and young Thomas Howard was the hero of the day. A famous ballad was composed in his honor.¹²

The next year brought a different story. Henry VIII in his first adventure on the continent made an alliance with Ferdinand of Spain against France. England was to send troops to Spain where they would be joined by Ferdinand's forces for an invasion of Guienne. Ferdinand betrayed the English troops who were left idle and ill fed while Ferdinand's men seized Navarre. This ill-fated expedition was commanded by the Marquis of Dorset. Serving immediately under Dorset was young Thomas Howard. The Marquis was sick much of the time so that Howard was burdened with much of the responsibility of maintaining order among the troops. It was an impossible task and finally the disgruntled troops and officers, cursing Wolsey for their plight, sailed for England.¹³

The next year, 1513, was a notable one for Thomas Howard and his family. He lost one wife and married another, became Lord Admiral, and saw the restoration of his family's fortune as a result of Flodden Field.

He became Lord Admiral as a result of the death of his brother, Sir Edward. Edward had brilliantly commanded the English

¹² D.N.B. X, 64

¹³ Fisher, H.A.L., The History of England from the Accession of Henry VII to the Death of Henry VIII., Longmans, Green and Co., N.Y., 1928, 174-176; Brenan and Statham, I, 121 .

naval operations against France in 1512 and early 1513. In the latter year he decided to smash the French fleet anchored at Brest. On April 4, 1513, he led a futile attack on the port and lost his life in the attempt.¹⁴ Henry VIII then conferred the title of Lord Admiral on Thomas Howard.

It was about this time that his wife, Lady Ann, died of consumption. Little is known of their married life but it seems to have been happy except for the fact that all four children of the marriage died young.¹⁵ Very shortly after Ann's death Thomas married again. This great haste is probably explained by his fears for the future of his family. All the children by his first wife were dead, his brother Edward died without issue, and he himself was engaged in a war. His second wife was Elizabeth Stafford, daughter of Edward Stafford, Duke of Buckingham, by Lady Eleanor Percy, daughter of the Earl of Northumberland. Elizabeth was directly descended from Edward III through his sixth son and through John of Gaunt and the Beauforts, Dukes of Somerset. Her father was Constable of England and heir of the houses of Bohun and Stafford. Her mother was a Percy of Northumberland. The marriage united three of the greatest families in England, the Howards, Staffords, and Percys.¹⁶ Yet it was destined to be an extremely unhappy one, as we shall see later. Two sons and a daughter were born of this marriage.

¹⁴ Fisher, 180

¹⁵ Gentlemen's Magazine, 151

¹⁶ Ibid., 260; Brenan and Statham, I, 124

But the real fortunes of the Howard Family rested on something more than a great marriage. While Henry VIII was engaged in the French war in 1512-13 his brother-in-law, James IV of Scotland, decided to strike at the ancient English enemy. The Earl of Surrey was in command of the English forces defending the frontier and he was assisted by two of his sons, Thomas and Edmund. The decisive battle was fought at Flodden Field on September 9, 1513. It was a complete victory for the English. James IV was slain, together with some 12,000 of his men including the flower of the Scottish gentry.¹⁷ The Earl of Surrey was the hero of all England and no small share of the credit for the victory went to his son Thomas, the Lord Admiral. Henry VIII could no longer deny the Howards their due. On February 1, 1514, the elder Howard, now seventy, was restored to the dignity of Duke of Norfolk and many of his confiscated properties were returned to him. At the same time his son, Thomas, was created Earl of Surrey.¹⁸ Thus ended the long struggle of the Howards to regain their place in England. For twenty-eight years they had been deprived of their rightful titles and lands, and had suffered from poverty and humiliation. They "won back with the sword while defending England all they had lost by their fidelity to the house of York."¹⁹

The new Earl of Surrey now took his place in the Council at

¹⁷ Fisher, 186-88

¹⁸ Sanford and Townsend, 320

¹⁹ Ibid., 320

the side of his father. They shared a common dislike, even hatred, of Wolsey. Great nobles that they were, they resented alike Wolsey's base origin and his policy of suppressing the power of the old nobility.²⁰ Norfolk had additional reasons for disliking Wolsey. He was Lord Treasurer and accustomed to the peaceful, economical policies of Henry VII. The extravagance and warlike policy of the new regime were distasteful to him. There were frequent clashes between the two. It is interesting to note that the first letter in Wolsey's hand remaining to us, dated September 30, 1511, suggests that means be found to keep Surrey away from Court.²¹ The elder Howard seems, however, to have given up the struggle when Wolsey became Cardinal in 1515 and some time after that the Venetian ambassador reported that Howard was "very intimate with the Cardinal".²²

Not so, with the new Earl of Surrey. He continued the feud with the Cardinal and on May 31, 1516, after a violent quarrel,²³ was forcibly put out of the Council.²³ About the same time he was indicted and called before the Star Chamber for keeping retainers. Wolsey was enforcing a rather neglected law of Henry VII's time.²⁴ Surrey was soon back in the Council but a few years later Wolsey found a means to get him out of the way. He sent him to Ireland as viceroy.

 20 D.N.B., X, 64

21 Belloc, Hilaire, Wolsey, J.B. Lippincott Company, Philadelphia, 1930, 124-125

22 D.N.B., X, 64

23 Brenan and Statham, I, 126

24 Pollard, Albert F., Wolsey, Longmans, Green and Co., N.Y., 1929, 76

Surrey served in Ireland from May, 1520, to April, 1522. It is not our purpose here to tell the story of his work there but an appreciation of his efforts there is in order. Lingard says that in Ireland "by his generosity he won the esteem, while by his activity he repressed the disorders, of the natives".²⁵ Brennan says he was the best English viceroy sent to Ireland by Henry VIII. He did not believe in wholesale slaughter and assassination but displayed fairness and liberality.²⁶ He suggested to the king two possible courses of action to follow. The first was to conquer Ireland peacefully by winning over the chieftans by giving them self-government, retention of customs, and so on. The other alternative was the extermination or banishment of the Irish. He advised against this course, not because it was inhumane, but because it would be too difficult and expensive to execute!²⁷

Surrey was not happy in Ireland. Besides being far away from Court the position was in itself a difficult, if not hopeless one. He had insufficient men and supplies and his letters to the king and Council at this time are full of complaints and demands for more money. Late in 1521 he made a hurried trip to London and exacted from the king a promise to release him from the viceroyalty. The spring of 1522 saw him in England again,

 25 Lingard, John, History of England from the First Invasion By the Romans to the Accession of William and Mary in 1688, fifth edition, 10 vols., IV, 419

26 Brennan and Statham, I, 126

27 Ibid., 140

ready to lead the fleet against France.²⁸

There is one side-light of his Irish venture which can furnish many an "if" and "might have been". While he was viceroy a project was suggested to marry James Lord Butler, heir of the house of Ormond, to Anne Boleyn, Surrey's niece, and daughter of Sir Thomas Boleyn, a rival claimant to the Butler estates in Ireland. Ormond suggested the marriage, Surrey approved it and wrote several letters urging it to Wolsey and the king. The latter tentatively approved the match, hoping it would end some of the Irish feuds. The project was considered from time to time for a year and then the negotiations collapsed.²⁹ Had Anne gone to Ireland the history of England and the House of Howard would have been much different.

While Surrey was in Ireland an event occurred in England which was to profoundly affect his conduct in the future. His father-in-law, the Duke of Buckingham, was beheaded on the charge of treason. To appreciate the magnitude and significance of this event it is necessary to know something of the Duke and the manner in which he was put away. Buckingham was the greatest noble in England. He was rich and powerful, but most important of all, he was a possible claimant to the throne. His claim was in fact better than that of the Tudors.³⁰ When Henry VII was very ill in 1503 Buckingham was mentioned as a possible succes-

28 D.N.B., S, 64

29 Brenan and Statham, I, 136-7

30 Belloc, Note C, 306-7

sor.³¹ Buckingham was, however, loyal to Henry VIII. In fact the two were boon companions. Then early in 1521 Wolsey informed the king of certain traitorous words the Duke was supposed to have uttered. Fearful of rivals, as all the early Tudors, Henry acted at once. Buckingham was summoned, indicted, given a mock trial, and condemned.³² His best friend, the Duke of Norfolk, was forced to preside at the trial and he pronounced the unjust sentence, tears streaming down his face. That Wolsey and the king could summarily dispatch the greatest noble in England and force the next greatest noble to pronounce the sentence made its intended impression on the old ruling class of England. Contemporary opinion fixed the blame for the tragedy on Wolsey, the man most hated by the nobility.³³ Henceforth these men would be circumspect in opposing the Cardinal. If they had had any doubts about the extent of his powers they were not set at rest.

What was true of the nobility in general was true of Surrey in particular. Perhaps it was he Wolsey wanted most to impress. There is a strong probability that he was sent to Ireland to have him out of the way when his father-in-law was done to death.³⁴ At any rate Buckingham's death made its impression on Surrey. No longer do we read of him having violent quarrels with Wolsey and getting thrown out of council. From now on he

31 Fisher, 236

32 Ibid., 238

33 For a good discussion of Wolsey's responsibility for Buckingham's death, see Belloc, Wolsey, Note D, 308-9.

34 D.N.B., X, 64

was to be the good servant of the king, with no questions asked.

Shortly after his return from Ireland he commanded the English fleet, raided the French coast, Burned Morlain and ravaged the country around Boulogne. In 1523 he served on the Scottish border and was made warden general of the marches. In November of that year he routed the Duke of Albany and became the hero of a poem which told how at the approach of Surrey "the Duke of Albany, like a cowardly knight ran away".³⁵

In May of 1524 the old Duke of Norfolk died and Surrey succeeded to his title and lands. The old Duke's last years had been unhappy. Wolsey's triumph, climaxed by the execution of Buckingham, had left him a broken and disillusioned man. He vowed never again to take part in public affairs and in the main he kept his resolution.³⁶ He had resigned as Lord Treasurer in 1522 and his son succeeded him in that post. Strangely enough, though it may have been typical of his times, the old Duke had shared in the spoils of Buckingham's confiscated estates. This Duke's career has been called "an excellent example of the process by which the Tudor kings converted the old nobility into dignified officials, and reduced them into entire dependence on the crown."³⁷ His son's career was to be another example.

After burying his father the new Duke of Norfolk returned to the northern border to watch the Scots. In 1525 he retired

35 Ibid., 65

36 Brenan and Statham, I, 109

37 D.N.B., X, 64

for a time to his home in Kenninghall, Norfolk. His retirement was disturbed by a call from Wolsey. The war against France had been long and costly and in 1525 Wolsey decided on a forced loan to raise funds for continuing the struggle. Norfolk was one of those chosen to collect it. But the people would have none of it. Riots broke out and revolution threatened. The Dukes of Norfolk and Suffolk were called on to quell the disturbances. This difficult task they performed with great skill and tact. Order was restored without bloodshed but the loan was cancelled. Wolsey was then forced to seek peace with France and Norfolk was placed at the head of the commissioners sent to treat with the Regent. The formal treaty was signed August 30, 1525. Peace was established, the French were to pay nearly 2,000,000 Crowns to England, and Henry was to use his influence to gain the release of Francis I who was a prisoner of Charles V.³⁸ Norfolk had done well for the king and the Cardinal.

There is little record of Norfolk's activity in 1526. Probably he was not at court very much. Wolsey had long since followed the policy of keeping this potential rival from court as much as possible.³⁹

The year 1527 marked the beginning of those events which led to England's separation from Rome. It is our business to investigate the Duke's part in these events. Before taking up that story however, it will be well to take stock of the man as

 38 Brenan and Statham, I, 156

39 Pollard, 107

he was at the opening of this momentous year.

He was 54 years old, the greatest noble in England, a successful commander on land and sea, and an experienced diplomat. The Venetian ambassador reported that

He is prudent, liberal, affable, and astute; associates with everybody, has great experience in political government, discusses the affairs of the world admirably, aspires to greater elevation, and bears ill-will to foreigners, especially to our Venetian nation. He is...small and spare in person, and has black hair.⁴⁰

Most important, he had learned that to oppose the king was death and that to oppose Wolsey was very close to it. The king he would never oppose. Wolsey he hated and feared and would intrigue against with his niece Anne Boleyn.

 40 Calendar of State Papers and Manuscripts relating to English Affairs, preserved in the Archives of Venice, edited by R. Brown, six vols., London, 1864-84, IV, 694. Hereafter this work will be referred to as Ven. Cal.

CHAPTER II

FIRST STEPS IN THE DIVORCE CASE

The story of Henry VIII's divorce from Catherine of Aragon is one of the best known in English history. It has been a favorite subject of historians and controversialists for four centuries. Yet there still is much disagreement as to the motives and exact date of the origin of the divorce. It is agreed, however, that the first public steps toward a divorce were taken early in 1527. It is also agreed that, in the early stages, the king, Wolsey, and Anne Boleyn were directing the maneuvers. Their part has been adequately discussed by historians and need receive little attention here. Our interest centers in the role of the chief noble and layman of his time.

The Duke of Norfolk seems to have played almost no part in the divorce in 1527 and 1528. His chief interest seemed to be to use the occasion to ruin Wolsey. In February of 1527 he was on the English commission treating with the French for an alliance. At first he opposed the terms of the treaty which had been drawn up by Wolsey. His opposition was motivated by his hatred of Wolsey and disappointment that in case of war with Spain the Duke of Suffolk, rather than he, was to have command of the

army.¹ But a few months later the Spanish ambassador, Mendoca, reported to the Emperor that Wolsey's enemies, including Norfolk, were urging him on to war with Spain, hoping thereby to ruin him. Mendoca adds that Norfolk is "favorably disposed toward the Emperor, and secretly hostile to the Legate", and suggests that the Emperor offer him a good pension.² This hatred of Wolsey seems to have been the driving force in the Duke's life at this time.

The first mention of Norfolk in connection with the divorce is found in a letter from Wolsey to the king in July, 1527. Wolsey tells of an interview he had with a Master Sampson about the validity of the king's marriage and says that Norfolk and Suffolk were present.³ The next mention comes a year and a half later, in December, 1528. Then he signed a statement drawn up by the king and addressed to the pope to the effect that the divorce was greatly desired by the people of England.⁴ Apparently the Duke was seldom at court during these two years. There are letters from him to Wolsey and the king from various points in England from time to time in 1527, and in 1528 he was definitely

1 Brewer, John S., The Reign of Henry VIII from his accession to the Death of Wolsey, 2 vols., James Gardiner, ed., John Murray, London, 1884, II, 147

2 Calendar of Letters, Dispatches and State Papers, relating to the Negotiations between England and Spain, edited by G. A. Bergenroth, P. de Gayangos, M.A.S. Hume, and R. Tyler, 11 vols., London, 1862-1916, III, 2, 193. Hereafter cited as Sp. Cal.

3 Letters and Papers, foreign and domestic of the reign of Henry VIII preserved in the Public Record Office, the British Museum and elsewhere in England, edited by J. S. Brewer, J. Gairdner, and R. H. Brodie, 21 vols., London, 1862-1910, IV, 3217. Hereafter cited as L & P.

4 Sp. Cal., III, 2, 861

away from court from March 8 to August 5.⁵ His absence was certainly designed by Henry or Wolsey or both. He was even forbidden to come to London for St. George's day when the Knights of the Garter held their big meeting.⁶ In June, 1528, he begged Wolsey for permission to come to London, because he had had a "sore fit every week" and his digestion was so bad he wasn't eating as much in three days as he used to eat at one meal. It was necessary for his health, he said, to consult some "cunning men" in London.⁷ But the permission was not forthcoming. Wolsey had enough to fear from Anne Boleyn. He wasn't anxious to have her uncle join forces with her.

Meanwhile the business of obtaining the divorce was going badly. The first step had been taken May 17, 1527 when Wolsey and Warham, Archbishop of Canterbury, summoned Henry and called on him to explain why he was living in adultery with his brother's widow. It had been Henry's idea to stage this show and have Wolsey declare the dispensation for his marriage with Catherine invalid, leaving him free to marry again.⁸ Nothing came of this maneuver, probably because it was feared Catherine would deny Wolsey's jurisdiction and appeal to Rome. Wolsey, in fact, urged the king to take the case to Rome directly. This the king did, but behind Wolsey's back. The legate was still under the im-

5 L & P, IV, 4045, 4162, 4192, 4320, 4604

6 L & P, IV, 4162

7 L & P, IV, 4320

8 Constant, G., The Reformation in England, 2 vols., Sheed and Ward, N.Y., 1934, I, 53

pression that Henry wanted to marry the daughter of Louis XII and Henry hesitated to tell him that it was Anne Boleyn he wished to make queen. So when Wolsey was absent in France from July to September, 1527, Henry sent his secretary, Knight, to Rome to ask for a dispensation for bigamy.⁹ The news reached Wolsey and he hastened to stop such a rash step. Knight's instructions were changed. He was to ask for a dispensation from affinity and for power for Wolsey to try the case without possibility of appeal. The pope's canonist, Cardinal Pucci, made some changes in the bull drawn up in England and gave it to Knight.¹⁰ Pucci's modifications had made the bull useless to Wolsey. Appeal to Rome was still allowed.

Wolsey was now given full charge of the divorce proceedings. He sent Stephen Gardiner and Edward Foxe to Rome to secure for himself the power to give an irrevocable decision. He also wanted a special papal legate sent to try the case with him. Long before Wolsey's agents left England, Rome had been sacked by imperial troops and the pope was now at Orvieto. After a month of negotiations the English agents got what they asked for in July, 1528, and Cardinal Campeggio was appointed special legate. Clement VII had, however, left some loopholes. The Decretal bull was secret and could not be used at the trial. Later he was to order it destroyed.¹¹

⁹ Ibid., 56

¹⁰ Ibid., 57

¹¹ Ibid., 59, 60

Campeggio left Rome in July but, following instruction to delay, reached England only in October. First he tried to dissuade Henry from his purpose but the king insisted on a trial. His efforts to induce Catherine to forego her rights and retire to a convent were equally fruitless. Just when it appeared that Campeggio would have to open the Legatine Court late in 1528, a further delay was necessitated. A brief of Julius II granting dispensation for Catherine's marriage and expressing no conditions regarding the consummation of her marriage with Arthur had been found in Spain.¹² This upset completely the plans of Henry and Wolsey who were basing their case on the defectiveness of the dispensation in the hands of the English. A plot by Wolsey and Henry to get possession of the newly found bull came to naught and Henry's hopes of a speedy trial vanished.¹³

It was about this time that the Duke of Norfolk began to take an active part in the negotiations for the divorce. Wolsey's failure to obtain speedy action had annoyed the king and Anne, and this gave Norfolk an opportunity to fight his old enemy. There is no evidence that the Duke had any scruples of conscience in supporting the divorce. Not until later did he even make an effort to study the case. Several reasons can be suggested for his support of the divorce. First, and most important, was the desire to gratify the king. Long since he had followed the

¹² Mattingly, Garrett, Catherine of Aragon, Little, Brown, and Company, Boston, 1941, 273

¹³ Ibid., 275-278

principle of blind obedience to the ruler. Another evident reason is the fact that Anne Boleyn was his niece. Finally, he was in marital difficulties himself and had hopes of getting a divorce.¹⁴ His second marriage had been a tempestuous one. Elizabeth was a jealous and nagging woman and finally the Duke had taken a mistress, Bess Holland, daughter of his chief steward.¹⁵ He banished his wife from his home, probably in 1533, and for fourteen years lived with Bess. How much influence his own marital troubles had on his decision to support the king is difficult to say. It seems safe to say though that he would have followed the same course even if his home life had been happy.

What must have made Norfolk happy to support the king was the chance it gave him to get rid of Wolsey. Already in January, 1529, Du Bellay, the French ambassador, reported that if Wolsey failed to get the divorce he would lose his office and that "the Duke of Norfolk and his party already begin to talk big". But a judicious respect for Wolsey's ability made him add "but certainly they have to do with one more subtle than themselves".¹⁶ Nevertheless, Norfolk was allied with a powerful group. In February, 1529, Mendoza observed to the emperor that Norfolk, Anne, her father, and the Duke of Suffolk had "combined to overthrow the Cardinal". Anne, he said, blamed Wolsey for the delay because he feared his power would decline if she were queen. So

 14 Brenan and Statham, I, 159

15 Ibid.

16 L & P, IV, 5210

21
17

far, however, they had made little impression on the king.

Meanwhile all efforts were being made to discredit the authenticity of the brief found in Spain. The Bishop of Worcester had written against it and Henry ordered his article read to Norfolk, Suffolk, and Rocheford, Anne's father.¹⁸ Various envoys were sent to Rome to ask the pope to declare the brief a fake but Clement VII refused to do so.¹⁹ Finally, on May 31, 1529, the Legatine Court was opened in Blackfriars Hall, London. A few days before, Du Bellay had written that Wolsey was in "the greatest pain he ever was" and that Norfolk and others were leading the king to believe that he had not done all in his power to promote the divorce.²⁰ None knew better than Wolsey how much depended on a favorable decision by the court.

Norfolk twice testified before the court. On July 12, he was one of a number who testified against the validity of the dispensation exhibited by the queen.²¹ Again on July 19, he testified regarding the consummation of Catherine's marriage with Arthur. He said he had been with the Prince at breakfast the day after his marriage and had heard the prince's words to Maurice St. John, "when he said, he had been that night in the midst of Spain" and that because of these words and the fact that Arthur was healthy and above fifteen he believed that he

17 L & P, IV, 5255

18 L & P, IV, 5403

19 Constant, 65

20 L & P, IV, 5581

21 L & P, IV, 1773

had carnally known Catherine.²²

The court was expected to give a final decision on July 23. The king and many notables, including the Duke of Norfolk, were there. Campeggio, instead of handing down a decision, adjourned the court until October. A week before Clement VII had cited the case before the Roman Court and the matter postponed till Christmas. So ended the hopes of Henry, Anne, and Wolsey for a successful termination of their long struggle. For Wolsey it meant more than another delay. It meant the end of his power.

The fall of Wolsey was of tremendous importance for the Church in England for reasons which will be discussed later. It is appropriate then that we interrupt for the time being the story of the divorce and break from Rome and examine the events of Wolsey's last months and see what part Norfolk played in the Cardinal's downfall.

Wolsey's fall was a gradual affair but it was evident to all after the close of the Legatine Court that his power was ended. The man who himself expected and was expected by others to take the Cardinal's place as chief minister of the king was the Duke of Norfolk.²³ Henry now turned to laymen rather than to ecclesiastics for advice and guidance. Norfolk's position as chief noble of the realm and his relationship to Anne Boleyn made him

 22 Herbert, Lord Edward, The History of King Henry VIII, in vol. 2 of A Complete History of England, John Hughes, ed., London, 1719, 113-114

23 Brewer, II, 389

a natural choice. As Brewer says, in temporal affairs Norfolk now assumed first place rather from the sheer force of circumstances and the advantages of his rank than for his great ability.... He had borne the Cardinal's superiority long, without betraying his disgust and indignation--for he was a master of dissimulation--and he suspected that on more than one occasion Wolsey, under the pretence of political necessity, had kept him at a distance from the Court.²⁴

Chapuys, that shrewd ambassador of the Emperor in England for so many years, was quick to note the rising power of Norfolk. On September 4, 1529, he wrote that Norfolk, Suffolk, and Rochefort, "are the king's favorite courtiers, and nearest to his person. They transact all state business now that the Cardinal is absent from Court."²⁵ On October 25 he observed that "the whole government of this country was fast falling into the hands of the Duke of Norfolk..."²⁶ Again on November 8 he wrote that "The Duke of Norfolk is now the personage who enjoys most credit and favor with the King, though this must be said in his praise, that he uses it as modestly as possible, and taking experience from the past does not undertake too many things."²⁷ In December he reported that the Duke's power and influence were still increasing daily.²⁸ At this time the king gave a further demonstration of his confidence in Norfolk by entrusting to him the

 24 Ibid., 389

25 Sp. Cal., IV, 1, 195

26 Sp. Cal., IV, 1, 292; L & P, IV, 6026

27 Sp. Cal., IV, 1, 327

28 Sp. Cal., IV, 1, 369

education of his bastard son, the Duke of Richmond.²⁹

This newly won power the Duke was to use almost exclusively to destroy Wolsey. In fact, until the day of the Cardinal's death the driving motive in the Duke's life was hatred of Wolsey and fear that he might return to the king's favor. During the first weeks after the close of the Legatine Court there was no overt act against Wolsey but he was kept from Court. The king himself began one of his periodic trips from town to town hoping to escape an epidemic which was raging in London that summer.³⁰ The Dukes of Norfolk and Suffolk accompanied him; Wolsey did not. Returning to London Henry permitted Wolsey to attend a dinner on September 19. The king was friendly with him but the Cardinal was given a hint of things to come. Wolsey had remarked to Henry that he would do well to send the bishops and chaplains home to their parishes. "Yes, Marry!", said Norfolk, "and so it were meet for you to do also." Wolsey said he would go to his diocese of Winchester. "Nay", said Norfolk, "to your benefice at York, where is your greatest honor and charge."³¹ What he really meant was that York was 200 miles removed from the king and Court.

Brewer says that "from this time the Duke seems to have been the chief adviser of all the measures that were adopted against the Cardinal. An implacable and relentless enemy, he never ceased to persecute his ancient rival until his ruin was completed,

²⁹ Sp. Cal., IV, 1, 360

³⁰ Belloc, 274

³¹ Cavendish, George, Life of Cardinal Wolsey, George Rutledge and Sons, London, 1885, 135

and treachery had done its work".³² It seems that Henry fully intended that Norfolk should be his agent in destroying Wolsey. On October 6, 1529, Stephen Gardiner, the king's secretary, directed Wolsey to surrender the parliamentary writs for certain shires to the Duke of Norfolk.³³ The latter boasted that he was able to return ten members to parliament from Sussex and Surrey alone.³⁴ Apparently Henry feared that Wolsey would turn to the coming parliament for support and he wished to keep the election out of his hands. The king intended that this parliament "was to be, in short, the Duke of Norfolk's Parliament. Anne Boelyn's uncle was to have the management of it, and by him it was to be packed."³⁵ There is an ironical note in the Duke's manipulation of this election. It was through his influence that Thomas Cromwell, later his bitter enemy and successful rival for Wolsey's influence, was elected. The only condition of his election laid down by Henry was that Cromwell "follow the Duke's instructions" in parliament.³⁶

As things turned out, a packed parliament was not necessary to dispose of Wolsey. On October 9, 1529, the day after Campeggio left England, a bill of indictment for Praemunire against

32 Brewer, II, 373

33 Pollard, 241

34 Pollard, Alfred, F. Henry VIII, Longmans, Green and Co., N.Y., 1902, 253

35 Gardiner, James, "The Fall of Cardinal Wolsey", in Transactions of the Royal Historical Society, Longman, Green, and Co., London, 1899, XIII, 87

36 Brewer, II, 466; L & P, IV, 3178

the Cardinal was filed in the King's Bench.³⁷ Eight days later the Dukes of Norfolk and Suffolk demanded of him the Great Seal, the symbol of his Chancellorship. Wolsey asked to see their orders from the king, declaring that he held his office for life by the king's letters patent. The Dukes insisted that verbal orders were sufficient but the Chancellor was unbending and the disgruntled Dukes had to wait until the next day when they came with written orders from the king for the surrender of the Great Seal.³⁸ The Duke of Suffolk was considered for succession to the Chancellorship but Norfolk objected to the seal going "in such high hands", and Thomas More was then appointed.³⁹

Foxe tells us that after the two Dukes had taken the seal from Wolsey many nobles and clergymen gathered in the Star Chamber to be addressed by Norfolk. The Duke explained what had been done and added that

...lest men might complaine for lacke of justice, he [Henry] had appointed him and the Duke of Suffolke, with the assent of the other Lords, to sit in the Starre-Chamber, and heare and determine causes indifferently; and that of all things the king's pleasure and commandment was, that they should keepe their hands close from rewards taking, or maintenance: and so that weak they sate in the Starre-Chamber, and determined causes.⁴⁰

After being deprived of the Chancellorship Wolsey set his goods in order and retired to Esher for the winter. Norfolk,

38 Cavendish, 140

39 Pollard, Wolsey, 255

40 Foxe, John, Acts and Monuments, 3 vols., London, 1641, II,

Suffolk, and Gardiner persuaded him to give all his goods to the crown, promising that if he did he would be leniently dealt with. Later he was to complain that all he had received in return was fair words.⁴¹ The winter at Esher was a difficult one for Wolsey as well as for his foes at Court. Henry made no final move. From time to time he sent the Cardinal tokens of esteem and friends to carry his greetings. Norfolk was sent several times and put on a hypocritical show of respect. He declared himself unworthy to wash in the same basin and insisted on sitting at a lower place at table.⁴² One remark the Duke made which perhaps well illustrates the medieval English attitude of reverence for wealth, power, and the Church, and resentment of foreign control. Wolsey was bemoaning his misfortunes and said, "For my legacy is gone, wherein stode all my high honor". "A straw", replied Norfolk, "for your legacy. I never esteemed your honor the higher for that. But I esteemed your honor for that ye were archbishop of Yorke and Cardinal, whose estate and honor surmounteth any duke within this realme; and even so will I honor you and acknowledge the same in doing you reverence and honor accordingly."⁴³

Norfolk was playing a double game with the Cardinal. On the one hand he was doing all in his power to completely destroy him; on the other he pretended great friendship. For some months he succeeded in deceiving Wolsey as to his real sentiments. As

41 Brewer, II, 403

42 Belloc, 291

43 Cavendish, 164

late as February, 1530, the Cardinal wrote to Stephen Gardiner thanking him for what he and Norfolk were doing in his behalf, and "praying God to reward you both for your charitable goodness showed unto me in this my extremity and I ...shall ascribe to my said lord's grace and you the preservation of my life."⁴⁴ Shortly after this Wolsey received a pardon from the king and Norfolk boasted that he had obtained it.⁴⁵ In May Cromwell assured the Cardinal that Norfolk was doing his utmost for him.⁴⁶ During the summer Norfolk aided Wolsey's agents in their unsuccessful fight to retain control of Ipswich college.⁴⁷ Only in August did Wolsey give evidence that he had discovered the perfidy of the Duke. On the tenth of that month he wrote to Cromwell asking that he do his best to make Norfolk reasonable.⁴⁸

While putting on this show of friendship Norfolk was actually working all the time to bring about his ruin. Chapuys reported in February, 1530, an incident which demonstrates the violence of the Duke's feelings. A certain Master Russel commented to the Duke one day on Wolsey's desire to return to power, and expressed the opinion that his chance might come if the king needed his counsel in some matter which he had formerly been in the habit of transacting. Hearing this, "the Duke began to swear vehemently, declaring that sooner than allow the Cardinal's

 44 L & P, IV, 6225

45 Sp. Cal., IV, 1, 469

46 L & P, IV, 6076

47 L & P, IV, 6510, 6579

48 L & P, IV, 6554

return to favor under such circumstances he would eat him up alive."⁴⁹ Interestingly enough Chapuys adds that Wolsey had now been forbidden to approach within six or seven miles of the Court.

The French at this time did not trust Norfolk and were doing all in their power to have Wolsey reinstated.⁵⁰ The Duke made the most of this in his many interviews with Chapuys, pointing out that the Cardinal had been committed to an anti-imperial policy. The Duke's mission at this time was to get Imperial consent for the divorce and possible he was using the threat of Wolsey's return to power as a club to force this consent.

But it wasn't what Wolsey's return to power would do to English foreign policy that worried Norfolk. He was worried about himself and his niece. Wolsey's long delay in setting out for York irked him. Some time in the spring of 1530 he wrote to Cromwell: "Sir, me thinketh that the Cardinal your master maketh no haste northward; show him, that if he go not away shortly, I will, rather than he should tarry, tear him with my teeth. Therefore I would advise him away shortly as he can, or else he shall be sent forward."⁵¹

The Cardinal finally set out for the North on April 5, going in easy stages. Still Norfolk had no rest. In July he complained to Chapuys about rumors concerning himself and the

49 Sp. Cal., IV, 1, 450

50 Sp. Cal., IV, 1, 450, 469, 630

51 Cavendish, 179

council: that they were good for nothing; that it was only in Wolsey's day that foreign rulers feared Henry; and that none of them could win the esteem of the king. He also complained that Wolsey was still intriguing to return to power but swore that he would never again see or speak to the king.⁵²

Wolsey eventually saw in Norfolk one of his chief enemies and correctly judged that his hatred was based on rivalry for power. In October Wolsey sent Thomas Arundell to the Duke to persuade him that the Cardinal had no desire to return to power.⁵³ Norfolk dismissed the messenger with insults. He could afford to be arrogant now. The trap was set and Wolsey's fate sealed. On November 4, three days before he was to be enthroned at York, the former chancellor was arrested for high treason and ordered back to London. Wolsey was accused of corresponding, without royal consent, with the French king, with the Emperor, and with Clement VII. The first charge was true, the second probably true, and the third false.⁵⁴

The man who betrayed Wolsey was his Italian physician, Agostini. Agostini betrayed him because the Duke of Norfolk had bribed him with one hundred pounds.⁵⁵ This is the way it came about. In 1529 Wolsey had asked Du Bellay, the French ambassador, to urge Francis I to write a letter to Henry in

52 Sp. Cal., IV, 1, 630

53 L & P, IV, 6688

54 Pollard, Henry VIII, 247

55 L & P, IV, 6763

Wolsey's behalf. Wolsey sent this message to Du Bellay by Agostini. In 1530 Joachim de Vaux succeeded Du Bellay. His mission was to get Wolsey reinstated.⁵⁶ De Vaux was lodged at the house of one of Wolsey's servants. Wolsey again sent Agostini and he remained with the new ambassador four or five days. Then Agostini came to Norfolk, wrote out all he knew of the Cardinal's doings--and maybe a bit more. The Duke and his party were elated. Chapuys wrote that "...since they have the Cardinal's physician in their hands, they have found what they sought for. Since he has been here the same physician has lived in the Duke of Norfolk's house like a prince. He is singing the tune as they wished him."⁵⁷

Wolsey's enemies were denied the pleasure of seeing him go to the Tower, for he died on the way to London. Of those enemies, many of whom had a part in his fall, Norfolk was certainly one of a handful most directly responsible for his ruin.⁵⁸ Belloc places chief responsibility on Anne Boleyn but says that Norfolk was "the first and most pertinacious of Wolsey's enemies" and that "his determined and tireless hatred stands high in the factors which combined to drag Wolsey down at the end."

Wolsey's fall, which Norfolk had done so much to bring about, was of profound significance for the Church in England. For Wolsey was almost identical with the Church. He was the

 56 Brewer, II, 431

57 L & P, IV, 6738

58 Bellac, 76, 79

only English Cardinal and as legatus a latere for many years he was almost the sole link between England and Rome. He had frequently warned Clement VII that his ruin would be the ruin of the Church. Campeggio wrote in 1528 that it was because of Wolsey that the Holy See retained its rights in England.⁵⁹ And when Wolsey was about to fall Du Bellay wrote that "after he is dead or ruined these Lords intend to impeach the State of the Church, and take all its goods; which it is hardly needful for me to write in cipher, for they proclaim it openly."⁶⁰ Pollard says that "so long as Wolsey and the clerical statesmen, with whom he surrounded the King, remained supreme, the Church was comparatively safe. But Wolsey depended entirely on Henry's support; when that was withdrawn, Church and Cardinal fell together."⁶¹

There is another aspect to Wolsey's fall which is significant. He was indicted in a Court of Common Law. Of this Belloc says:

It was a solemn hour in the history of England and of Christendom. A Papal Legate, the man who represented the highest authority of the autonomous Church, was challenged by the civil power. If that man gave way the independence of the Church for which Beckett had died, the whole principle that the Church was free from the jurisdiction of laymen, was so violently shaken that it must fall....Wolsey capitulated. He accepted the jurisdiction of the Lay Courts...and by the pen in Wolsey's hand that which Beckett had done in England was now, in a far different day, undone.⁶²

59 L & P, II, 4074

60 L & P, IV, 6011

61 Pollard, Henry VIII, 238

62 Belloc, 279, 280

There is no indication that the Duke of Norfolk had any conception of what he had done to his Church by helping to bring about Wolsey's downfall. Quite the contrary. A few weeks after the Cardinal's death Anne Boleyn's father, the Earl of Wiltshire, gave an entertainment at which was performed a farce representing Wolsey going to Hell. Even the French ambassadors were shocked by it. But Norfolk liked it so much he had it published.⁶³

⁶³ Friedmann, Paul, Anne Boleyn, A Chapter in English History, 2 vols., Macmillan and Co., London, 1884, I, 127

CHAPTER III

FROM THE FALL OF WOLSEY TO THE FINAL BREAK WITH ROME

When Wolsey lost power the Duke of Norfolk had a wonderful opportunity to succeed him as the formulator of English policy. His high rank, his reputation as a military leader and diplomat, his opposition to Wolsey and relationship to Anne Boleyn all indicated that he would be the king's right hand man. It has already been pointed out that Chapuys thought the entire government was falling into his hands. But his leadership was more apparent than real. As Gardiner remarks, after Wolsey's fall

the most servile pliancy was the road to favor; but a new policy might be suggested by one who understood his [the king's] aims and was not over-scrupulous about the means of promoting them. The Duke of Norfolk who seemed to manage everything upon Wolsey's fall, was subservient enough, but his idea that noblemen again would rule was purely a delusion. The man of the coming era was Thomas Cromwell....¹

Henry wanted someone who could get him the divorce. Norfolk was not up to the task. He could be a brilliant leader on the battle field and an implacable opponent of rival factions at Court but in his dealings with Henry he could only follow

¹ Gairdner, James, The English Church in the Sixteenth Century From the Accession of Henry VIII to the Death of Mary, Macmillan & Co., London, 1903, 100

blindly. At no time in the matter of the divorce and break from Rome do we find him an originator of policy. He would not even put up a determined opposition when matters went farther than he desired them to go. Cromwell, who was to guide the King in all this affair, he would hate as he had hated Wolsey. He would plot and intrigue to ruin this new rival, but on the surface he was to be disgustingly servile and cringing, consenting to and aiding in all that was done.

We have already seen that it was Henry's intention that Norfolk should direct the parliament which met on November 3, 1529. This was the famous Reformation Parliament which in its seven years of existence worked a complete revolution. While Norfolk's influence was strong in the opening session, it was Thomas Cromwell who was to be its guiding genius.² The opening session of this parliament was from November 3 to December 17, 1529. Nothing was done about the divorce but there was a veritable flood of bills attacking the clergy. When Bishop Fisher attacked these bills in the House of Lords as dangerous to the faith Norfolk

accused the bishop of a blind fanaticism, which was as full of peril to the Church as heresy itself, and bade him remember that 'the greatest clerks were not always the wisest men'. To this Fisher replied that he did not recall, in his long experience, any fools that had become great clerks.³

2 Fisher, 295-6

3 Burnet, Gilbert, History of the Reformation of the Church in England, 7 vols., Nicholas Pocock, ed., Oxford, 1865, II, 82

Before parliament was prorogued it had passed three bills which were a prelude of that ecclesiastical revolution it was to work in the succeeding years. The first limited the mortuary fees charged by the clergy. The second fixed the fees for the probate of wills and the third corrected some of the abuses of pluralities and non-residence on the part of the clergy.⁴ There is no evidence that Norfolk in any way opposed this attempt of a secular body to legislate in Church affairs. The fact that he was the king's instrument in parliament at the time, and his quarrel with Bishop Fisher indicate his wholehearted consent.

Norfolk's attitude toward the divorce in late 1529 was that it was an unfortunate thing but that the king's desire would have to be gratified. On October 25 he told Chapuys that he would rather have lost a hand than have these marriage troubles develop. He said he had not been a party to the divorce in any way, he had not been appealed to, or given any advice in the affair. It was purely a matter of conscience and the emperor was doing wrong in taking sides.⁵ A few weeks later he was again telling Chapuys that Charles V should permit the divorce:

For I see no other remedy....The king's scruples of conscience instead of abating are on the increase, chiefly owing to the opinions of men who think as he does in this matter...and there is nobody in this world capable of turning the current of his passion or fancy in this particular case.

 4 Fisher, 298-300

5 Sp. Cal., IV, 1, 294; L & P, IV, 6026

And when Chapuys urged the Duke to dissuade the king he said, "I really cannot see how that can be effected, for I believe that neither time nor counsel can deter the king from his determination."⁶

A few days later the Spanish ambassador reported that the pope was being slandered by all and that Norfolk had told him that the pope had been among the first to perceive the invalidity of the marriage but that he was now under the power of the emperor and would decide the case according to the latter's wishes.⁷ Chapuys considered the Duke a key figure in the affair and asked the emperor's permission "to see what can be done with the Duke of Norfolk".⁸ He thought an effective means would be to promise help in arranging the marriage of the Duke's son to Princess Mary. This marriage was much talked of during these years, even at the Roman Court, and deserves examination.

Rumors of this proposed marriage caused widespread interest for a very good reason. If Norfolk's son, the Earl of Surrey, married Princess Mary, the only living child of Henry and Catherine, the question of succession to the throne might be settled. The Norfolks had royal blood in their veins and the children of such a marriage might easily be accepted by the people as rightful rulers of England.

The first rumors of this marriage are mentioned by Chapuys

6 Sp. Cal., IV, 1, 359-60

7 Sp. Cal., IV, 1, 367

8 Sp. Cal., IV, 1, 367

in October and December, 1529.⁹ In the following May it was repeated in a letter of James Clyffe, a priest, to Bishop Bonner.¹⁰ Chapuys began his effort "to see what can be done with Norfolk" in January, 1530. He acquainted Norfolk with the reports in London that he stood to gain by the king's marriage with his niece, Anne Boleyn. Chapuys didn't think so, for if Surrey married the princess he would be king unless Henry married again and had other children. It would be to the Duke's advantage then to press his son's marriage and try to prevent the king's new match. The Duke pretended to be shocked by these possibilities, saying "such a thought had never entered his mind and he would much prefer to see his son drowned than to have him in such a position".¹¹

Six months later Chapuys again suggested this marriage as a means of providing heirs and again the Duke protested, saying that he "wouldn't propose it to the king for a roomful of gold". but Chapuys noted that he didn't discard the idea as completely as he had at first and expressed the belief that Norfolk would be pleased if someone else suggested it to the king.¹² But in October the Duke informed Chapuys that in order to avoid the suspicion of wanting to marry his son to Princess Mary he was going to marry him to another lady within a month.¹³ But

 9 Sp. Cal., IV, 1, 279, 361

10 L & P, IV, 6411

11 Sp. Cal., IV, 1, 418

12 Sp. Cal., IV, 1, 628

13 Sp. Cal., IV, 1, 790

it was not until the spring of 1532 that Surrey was married to his cousin, Lady Frances Vere, daughter of the Earl of Oxford. Both bride and groom were under sixteen so they separated at the altar and did not live together until 1535.¹⁴

Several explanations for the collapse of the plans for the marriage of Surrey and Mary are suggested. There was a rumor at the time that Anne, fearful of what this marriage might do to her ambitions, forced this other marriage.¹⁵ Norfolk may have feared other possibilities. If Catherine regained her position she would be opposed to the marriage. If Anne became queen, Mary might be treated as badly as her mother.¹⁶ The safer, less daring course was typical of Norfolk.

The Roman Court, grasping at straws, looked upon this proposed marriage as a possible way out of its dilemma. In June, 1530 the Imperial ambassador in Rome reported to Charles V that the pope had told him Henry was negotiating this marriage and that because of it Anne's father had lost much hope of her marriage with the king. The pope cited as evidence the fact that Henry was spending much money in buying goods and lands for Anne. This he considered a sign that Henry was going to give up his suit, for if he meant to make her queen she would not need these things.¹⁷

There is a very interesting letter on this matter from

 14 Brenan and Statham, I, 169

15 Sp. Cal., IV, 2, 429

16 Sp. Cal., IV, 1, 368

17 L & P, IV, 6437

Charles V to his ambassador in Rome, dated July 29, 1533, six months after Henry's secret marriage. The emperor tells his ambassador not to discuss the matter of this proposed marriage until Catherine's case is finally decided. He says:

The Pope avers that the Duke, of Norfolk is married in England, but that the marriage is invalid as it is only a marriage per verba de futuro, and the Duke was only brought to consent to it by intimidation. If it is true that the marriage is only covenanted by verba de futuro, the Pope may entertain negotiations with regard to this proposed match between the Princess and the Duke until [after] the final sentence is pronounced in the divorce case of the Queen.¹⁸

The editor of the Spanish Calendar adds, in a footnote, that the Duke was, at this time, a widower of sixty. This is obviously a mistake. The Duke's second wife was still living and was to survive him by several years. Charles was evidently referring to the Duke's son who, as we have seen, was married in 1532. A puzzling thing about this letter is its date. Charles seems ignorant of the fact that Henry had already married Anne, yet her public marriage and coronation had taken place some time before.

In his long struggle against the papacy Henry made it a point to keep his diplomatic fences well mended. Imperial consent to the divorce was ardently desired but if that should fail the hostility of Charles was to be neutralized by gaining the active support of Francis I. For a long time after

¹⁸ Sp. Cal., VIII, Addenda, 590; IV, 2, 735

Wolsey's fall it seems to have been the specific duty of the Duke of Norfolk to win imperial friendship or consent for Henry's projects. His talks with Chapuys were long and friendly. The amiability of these interviews was considerably helped by the fact that Chapuys was trying "to see what can be done with the Duke of Norfolk". In these first months Norfolk's role was probably a sincere one. Wolsey was still at Esher and the French were active in his behalf. A pro-imperialistic policy was then naturally to the Duke's liking. In February, 1530, he expressed to Chapuys his high regard for the emperor and his desire to see the friendship of Henry and Charles firmly established. His own brother-in-law, he said, was being sent to the imperial court to establish friendly relations "in the teeth of the Cardinal, who had always tried to prejudice the king against Your Majesty, and in the teeth also of certain princes to whom this friendship was anything but agreeable."¹⁹

Previous to this Chapuys had reported that the Duke's increasing power was a good thing for Spain if he continued as he began. He had on every occasion showed himself anxious to please and he favored the Spanish and Flemish merchants much more than the French.²⁰ "The Duke of Norfolk", wrote Chapuys, "is of all the noblemen of this kingdom he who has most the power and the will to serve your Majesty."²¹ But always after his protestations of friendship for the Emperor the Duke insisted

19 Sp. Cal., IV, 1, 461

20 Sp. Cal., IV, 1, 369

21 Sp. Cal., IV, 1, 428

that the keystone of English-Imperial Friendship was imperial consent to the divorce. Sometimes he repeated it ten or twenty times in a single interview.²²

Always, too, the Duke was careful not to compromise himself. He wanted to be friends with everyone. When, in January, 1530, he received a friendly letter from Charles V, written at Chapuys's suggestion, he was flattered but immediately suggested that the emperor write similar letters to other members of the Council. This would promote the emperor's interests in England "and at the same time remove part of the suspicion that might hang on me."²³ When on another occasion he left the French ambassadors for a while to speak with Chapuys he said he would tell them they had only been discussing the queen's affairs and begged Chapuys to tell them the same.²⁴ Even in council meetings at this time Norfolk is pictured as reconciling opposing factions, smoothing things over, and opposing rash policies.²⁵ Chapuys admitted in January, 1530, that Norfolk had been under suspicion for a while, possibly because it was feared he was seeking too much power, but he was now "thoroughly trusted and not without reason, as he desired only to keep up a good understanding with everyone".²⁶

In February, 1530, Pope Clement VII crowned Charles V at Bologna. Henry decided to send an embassy there to try to win

22 Sp. Cal., IV, 1, 417, 428, 466, 461

23 Sp. Cal., IV, 1, 428

24 Sp. Cal., IV, 1, 461

25 Sp. Cal., IV, 1, 435

26 Sp. Cal., IV, 1, 429

papal and imperial consent for his matrimonial adventure. Because of his rank, diplomatic experience, and imperialistic leanings, Norfolk was at first chosen to head the embassy. His desire to be friends with everybody, and especially with Henry, prompted him to beg off, pleading that he didn't know French well enough. No doubt he knew that the mission was a hopeless one. He suggested the Earl of Wiltshire, Anne's father, who was then appointed. The earl was accompanied by Dr. Edward Lee, Stokesley, Cranmer, and Dr. Edward Karne. The mission failed as Norfolk had foreseen and all Wiltshire had for his pains was a papal citation of Henry to Rome and the King's angry statement that he regretted Wolsey's absence.²⁷

Norfolk's pro-imperialistic, anti-French policies underwent a gradual change beginning in the spring of 1530. By the middle of 1531 the transformation was complete. Previously his interviews with Chapuys had been amiable and full of expressions of esteem for the emperor. But in April he overtook Chapuys as the latter came from an interview with the king and spoke with great vehemence against the stubbornness of the emperor and asked point blank: "Should the King...marry this woman, what will the Emperor do? Will he make war on us?"²⁸ A few weeks earlier he had written to Montmorency thanking him for his efforts in behalf of the King of England.²⁹ In another

 27 Friedmann, I, 105, 108, 109

28 Sp. Cal., IV, 1, 511

29 L & P, IV, 6306

letter to Montmorency in June he pledged all his energies to make the union of Henry and Francis permanent.³⁰ In the same letter he showed, for the first time, an interest in Henry's efforts to obtain favorable opinions from the European universities. He urged Montmorency to use his influence with Francis I "to obtain the desired object at Paris."

In July he was complaining to Chapuys that the pope would "in this and every other case do the Emperor's bidding, even if he were asked [by him] to dance in the public streets in a jester's jacket".³¹ Three months later he said that Catherine's coming to England and the Spanish alliance had been the cause of nearly ruining England and should probably have completed the ruin "by the unlawfulness of the marriage". He repeated this four or five times. His reasoning went something like this: The King of Spain, Charles V, to get Naples and Navarre had dragged England to war against France. The result was an exhausted England. Another thing, God showed his displeasure at the marriage by refusing to give male heirs. This would result in civil war and war with Scotland.³²

Several explanations for this change in policy suggest themselves. For one thing, the first signs of change coincided with Wolsey's departure for the North and this may have made Norfolk depend less on imperial support. A more satisfactory

 30 L & P, IV, 6461

31 Sp. Cal., IV, 1, 629

32 Sp. Cal., IV, 1, 789, 790

explanation lies in Henry's own policies at this time. It was becoming increasingly evident as 1530 wore on that he was determined to make himself pope in England. He wrote to Oxford for Wycliffe's writings and had Cromwell write to Flanders for those of Ockham. In December of 1530 the whole clergy was indicted for violating the statutes of provisors and praemunire by recognizing the legatine authority of Wolsey. The clergy purchased a pardon by voting the king 100,000 pounds and by recognizing him as head of the Church "as far as the law of Christ allows".³³ Norfolk could read the signs of the times. Perceiving that Henry was willing to go to almost any lengths to obtain his ends he probably decided it was not prudent to be sympathetic to the emperor, whom Henry regarded as one of the chief obstacles in his path.

Chapuy's explanation of the Duke's change of heart was quite different. He said the Duke was offended because the emperor had failed to pay him the promised pensions, whereas the French were doing so.³⁴

Chapuys has left us a detailed account of the Duke's sentiments regarding the divorce about the middle of 1530. Writing to the emperor he said:

The Duke observed that from the credit he enjoyed with the king and from his having the administration of affairs, the world in general would lay upon him the chief

³³ Fisher, 308-9

³⁴ L & P, V, 340

blame of the divorce, and other things, especially as his niece was so much concerned in it; but that he could lay his hands on his conscience and say with the psalmist: 'Jacta cogitatum tuum in Domino' and let the slanderers say what they pleased. That he had never opened his mouth to the king on the subject of the marriage with his niece, though he did not conceal from me that so great an honour would not be unpleasant to him. This remark of the Duke as to the motives that people in general attribute to him, incline me to give some credit to what Brian Tuke himself told me some time ago, namely, that the Duke, since he got rid of the Cardinal, and set in order various matters connected with the tranquility and welfare of this kingdom, wishes for permission from the King to retire to private life.³⁵

The Duke's distress was further demonstrated the next day when he told Chapuys that, since there seemed no way out of the difficulty, he wished that God would take both Catherine and Anne, for the king would never enjoy peace of mind until he made another marriage.³⁶

There is no evidence beyond that just given that Norfolk thought of retiring to private life at this time. It seems hardly likely that he should wish to do so so soon after ousting his old rival Wolsey. And Montfalconet, Charles' special representative in England in 1532, said that the Duke "would suffer anything for the sake of ruling".³⁷ At any rate the Duke remained active about the Court. Within the space of a few weeks we find him arguing with Chapuys for a board of

35 Sp. Cal., IV, 1, 626

36 Sp. Cal., IV, 1, 626

37 L & P, V, 1059

English judges to try the divorce case, signing a petition of the spiritual and temporal Lords of England to Clement VII, praying him to consent to the divorce, and telling the queen's almoner that now that the University of Paris had rendered its decision there was nothing more to be said and that the queen should consent to the divorce with good grace.³⁸

In August or September of 1530 there was an important Council meeting at Hampton Court to consider this proposal: Let Henry get his divorce in England and marry Anne without waiting for Rome to act.³⁹ This plan had been privately suggested by Clement VII long before.⁴⁰ The Council now rejected the plan as too dangerous at this late stage. Pollard says that all the councillors opposed the plan except Wiltshire and Norfolk. Chapuys said the same but added that "some go so far as to say that the Duke of Norfolk was one of those who most violently opposed the measure."⁴¹

The English policy at this time was one of delaying the decision of Rome. This was to give time to find some other means of trying the case. Hence Norfolk's efforts to get imperial consent to an all-English court, already referred to. In September, 1530, Norfolk succeeded in convincing Baron del Borgho, the papal nuncio in England, that delay was advisable.

38 Sp. Cal., IV, 1, 625, 673; L & P, IV, 6513

39 Pollard, Wolsey, 290

40 L & P, IV, 3802, 4120; Possibly the pope had in mind the procedure used by the Duke of Suffolk some years before. See Constant, 53, n65.

41 Sp. Cal., IV, 1, 708

Borgho wrote to Clement that the cause ought not to be proceeded with "for the Duke of Norfolk assured him the other day ...that he would stake his existence that if nothing was done at Rome his master would not proceed with the case in England."⁴² In line with this policy of delay Norfolk suggested to the nuncio a meeting between the pope, the emperor, and Henry.⁴³ Nothing came of it, however.

Norfolk's sentiments regarding papal supremacy were expressed to Borgho at this time. "The Duke spoke much about his devotion to the Holy See, and how he had always stood and would stand by the Clergy, but that whereas his master had distinctly declared his will more for one thing than for the other, he was bound to support him..."⁴⁴ A short time later he told Chapuys that he was delaying the marriage question only to oppose the jurisdiction of the pope, which he considered dangerous, and he added that "whatever mien His Holiness might put upon it, it was evident that he did not really desire a complete accord among the princes of Christendom, knowing well that a General Council might thereby be assembled, which would clip his wings and take away his temporal powers."⁴⁵ It is interesting to note that a few months later Catherine and her friends shared this opinion with Norfolk.⁴⁶

 42 Sp. Cal., IV, 1, 719; L & P, IV, 6618

43 Sp. Cal., IV, 1, 724

44 Sp. Cal., IV, 1, 719

45 Sp. Cal., IV, 1, 789

46 L & P, V, 112

In January, 1531, the Duke was commissioned to inform the imperial ambassador and the papal nuncio of a new law which fixed severe penalties on anyone who should attempt to execute papal mandates to the detriment of the king.⁴⁷ He took advantage of the occasion to expound his latest ideas on kingly authority. In olden times, he said, popes had tried in vain to usurp authority in England. Kings were before popes and the king of England was absolute master in his own realm, and acknowledged no superior; an Englishman, Brennus, had once reduced Rome under his obedience, and Helen, the mother of Constantine, was English by birth, and sonon. In such matters as reforming the clergy, and marriage questions the pope had no authority. He could only issue decrees in case of heresy.⁴⁸ Some time later he complained to Chapuys that Charles and the queen were pressing for sentence to be given at Rome. It was all in vain, he said, "for if the Pope issued 10,000 excommunications he would not care a straw for them".⁴⁹ He was referring to a papal brief issued in January which forbade the king to remarry until Rome decided the case and also forbade any university, parliament, or court to decide on matters reserved for Rome.

Norfolk was merely echoing the king in scoffing at the threats of excommunication but it did present a real problem. In order to parry this blow from Rome the king decided to send

 47 Sp. Cal., IV, 2, 22, 27

48 Sp. Cal., IV, 2, 23; L & P, V, 45

49 L & P, V, 148

a deputation to the queen to induce her to consent to the delay of the proceedings and to the removal of the cause to another court.⁵⁰ The delegation was headed by Norfolk and consisted of about thirty people including Suffolk, Northumberland, and the bishops of Lincoln and London. They came to the queen's apartments as she was preparing to retire on the night of June 6, 1531. The Duke made a long speech, full of irrelevancies. First, he said, the king had been hurt and annoyed by her; because of her the pope was treating him badly. Secondly, she ought to remember the help England gave her father, Ferdinand, in conquering Navarre. Finally she should be grateful for help Henry had given to her nephew, Charles V, and moreover she shouldn't expect Henry to answer the summons to the Roman Court. The queen was rather gentle with him, answering his speech point by point and clearly having the better of the argument. It was only when Dr. Lee, Dr. Sampson, and others took up the argument that she became bitter. Her answers to these men are classics.⁵¹ The deputation left her, definitely feeling that she had made fools of them.

The task of heading this delegation was undoubtedly a distasteful one for the Duke, for he had a profound admiration of the queen. Froude says that he "as much admired Catherine as he disliked his niece".⁵² Montfalconet told the emperor that

50 Sp. Cal., IV, 2, 171, 172; L & P, V, 287

51 L & P, V, 287

52 Froude, J. A., The Divorce of Catherine of Aragon, Charles Scribners Sons, N.Y., 1891, 167

Norfolk was willing to "take trouble in anything pertaining to the Queen".⁵³ A month before this deputation to Catherine he expressed to Chapuys his admiration of her, saying that her courage was supernatural and that "it was the Devil, and nobody else, who was the inventor of this accursed dispute".⁵⁴ He seemed, in fact, at this time to have been annoyed by the whole business of the divorce. It complicated things so. All would go well between England and the emperor if it weren't for that. It was too bad, he said, that the emperor didn't take pains to preserve the fine relations that had been built up between England, Spain, and Flanders. He regretted that the marriage ever took place, then in the next breath changed his mind; for if it had not occurred there would be no princess Mary, one of the most beautiful and virtuous ladies in the world.⁵⁵

These sentiments, however, were not shared by the king, and Norfolk was committed to the policy of serving his master loyally. This loyalty was given a severe test during the parliamentary session of early 1532. Henry had decided to make further inroads on the liberties of the Church. Two important acts were passed by this parliament. The first forbade the payment of annates, or first-fruits, to the pope though the act was so worded that Henry could suspend it until Easter of 1533. The second act, called "Supplication against the Ordinaries"

53 L & P, V, 1059

54 L & P, V, 238

55 L & P, V, 308

was even more serious. It deprived the clergy of legislative and judicial power and gave the king power to appoint a committee to revise all existing church laws.⁵⁶ Convocations accepted the act on May 15, 1532, and it was this "submission of the clergy" which occasioned Sir Thomas More's resignation from the chancellorship.

Norfolk was not made of the same stuff as More. There is no record of any opposition on his part to these acts. He continued to do the king's bidding. After the Annates Act was passed he informed the Nuncio of it and told him "with great protestations of speaking the truth" that it was passed because of popular demand; that the people had once before demanded it but that Henry had then defended the rights of the pope. Even now, he said, it was up to the pope to decide whether or not he should "enjoy the annates and his other prerogatives in the kingdom". All this he assured the nuncio on his honor and asked him to inform the pope.⁵⁷ Norfolk was lying. The act against annates had been passed by parliament under heavy pressure from Henry and the suspensive feature of the bill was nothing but a form of blackmail.⁵⁸

On one occasion during this session of parliament Norfolk called together a group of peers and members of Commons and delivered a lecture to them on the king's problems. He explained

⁵⁶ Fisher, 311-313

⁵⁷ L & P, V, 898

⁵⁸ Gardiner, 116

that the pope had treated the king badly by not permitting his cause to be tried in England. Moreover, he pointed out, many learned doctors were of the opinion that matrimonial causes belong to the temporal jurisdiction, not to the spiritual, and that jurisdiction belongs to the king, not the pope. Then he asked their advice, and whether they would employ their goods and persons in preserving the royal rights.⁵⁹ The answer he got was not pleasing. Led by Lord Darcy the Lords attacked the proposition and Norfolk had to face the king's anger for his failure to win their support.

At this time, too, the Duke was continuing his efforts to have the cause remitted to England. In late January he spoke to the nuncio, promising that if this were done the king and his allies would do wonders for the pope.⁶⁰ Two weeks later he and Wiltshire were putting pressure on Warham, Archbishop of Canterbury, attempting to have him claim jurisdiction.⁶¹ Failing in this he came back to the nuncio telling him the pope must ponder

if he wishes to retain the obedience of England to the See Apostolic. I have discharged my conscience like a true Catholic. Though the Church in this realm hath many 'wryngers' at her high authorities, nothing hurtful shall be done, unless the fault be in the Pope in proceeding wrongfully against the King. Notwithstanding the infinite clamours of the temporality here in

59 L & P, V, 805

60 L & P, V, 762

61 L & P, V, 805

Parliament against the misuse of the spiritual jurisdiction, the King will stop all evil effects if the Pope does not handle him unkindly. This realm did never grudge the tenth part against the abuses of the Church at no Parliament in my day, as they do now.⁶²

Meanwhile, little if any progress was being made with the divorce case at the Roman Court. There the policy continued to be that of delaying definite action. The pope was scheduled to confer with the emperor again in December, 1532, and it was feared by Henry's party that Charles would bring sufficient pressure to bear to prevent any action favorable to Henry.

To offset this meeting and to prepare the ground for drastic independent action of his own Henry decided to confer with Francis I. The Duke of Norfolk was accordingly dispatched to Calais in September to make the necessary arrangements.⁶³ The meeting of the two kings took place at Boulogne in October. Little pomp marked the occasion but the interview was cordial. The Dukes of Norfolk and Suffolk, the Bishop of Winchester, and Anne, recently created Marquis of Pembroke, were in Henry's party. The diplomatic discussions with the French were carried on by Norfolk, Suffolk, and Gardiner. Francis I conferred the order of St. Michael on the two dukes.⁶⁴

The more important conversations regarding the divorce were carried on by Henry and Francis directly. Francis decided

62 L & P, V, 831

63 Ven. Cal., IV, 1034

64 Ven. Cal., IV, 822

to send two cardinals to Rome to plead Henry's cause. So pleased was Henry with the arrangements made with Francis that he returned to England determined to go ahead with the divorce and if necessary break with Rome.⁶⁵ Anne, at least, was convinced that ~~this~~ was the case, for she finally yielded to Henry and by the end of January the king knew she was pregnant.

Further delay was out of the question. Anne's child must at all costs be made legitimate. No time was lost now. Henry, with utmost secrecy, married Anne on January 25, 1533.⁶⁶ Burnet says that Norfolk was present at the ceremony but this is contrary to the testimony of Cromwell.⁶⁷

The problem now was to have the marriage recognized as legal. The death of Archbishop Warham in August, 1532, suggested a way. Henry decided that Cranmer would be the man to do his work. The difficulty was to get Rome to appoint him. Rome's reluctance was overcome by the adroit use of blackmail and hypocrisy. Henry began to write gentle letters to the pope and to treat the papal nuncio with great respect. The suggestion was cleverly given that Henry might yet submit to Rome's decision. Likewise it was subtly pointed out that so far Henry had withheld his assent to the Act of Annates and might continue to do so if Rome promptly forwarded the bulls for Cranmer's consecration. Rome yielded. On February 22, 1533, the bulls

 65 Muller, James A., Stephen Gardiner and the Tudor Reaction, Macmillan Co., N.Y., 1936, 49

66 Pollard, Henry VIII, 296

67 Sp. Cal., IV, 2, 679

were issued without the usual 10,000 marks fee.⁶⁸

During these first weeks of 1533 great efforts were made by the king to create the impression in England that he was on the best of terms with the pope; that Rome secretly approved what he was doing and would do. On two occasions he solemnly took the papal nuncio to attend sessions of parliament. After one of these sessions Norfolk took the nuncio and Dinteville, the French ambassador, "ostentatiously" to the house of Sir William Fitzwilliam for a banquet.⁶⁹

So successful were these tactics that people were convinced of a secret understanding between Henry and the pope and that the latter would betray Charles V. In March Chapuys reported that all the lords in London believed this, especially Norfolk and Suffolk who "speak of it with more assurance, saying they know it well, and could give good evidence of it".⁷⁰

With convocations and parliament under the illusion that a secret understanding existed between Henry and the pope it was comparatively easy to have several highly important measures passed. The Convocations of Canterbury and York approved two propositions: First, the pope could not grant a dispensation for a man to marry his brother's widow if the previous marriage had been consummated; secondly, Arthur's marriage to Catherine had been consummated.⁷¹ Next, parliament was induced to pass

68 Pollard, Henry VIII, 297

69 Friedman, I, 184

70 L & P, VI, 296

71 Pollard, Henry VIII, 298

the Act Forbidding Appeals to Rome and provide for the confirmation and consecration of bishops without recourse to Rome.⁷²

Henry was now in a favorable position. Cranmer was the legal Archbishop of Canterbury; by act of parliament the archbishop was the highest court of appeal; no recourse to Rome was permitted. All was in readiness for the final step. On May 10, 1533, Cranmer formally opened his investigation of Henry's marriages to Catherine and Anne. On May 23 he declared Henry's first marriage invalid. On May 28 he declared that Henry's marriage to Anne was valid. Anne was crowned June 1, 1533.

The next step was up to the pope. In January, 1531, Clement VII had issued a brief forbidding Henry, under pain of excommunication, to remarry until the case was decided in Rome. Now all Europe anxiously awaited the pope's reaction to Henry's defiance. That king, however, did not remain idle. His greatest fear was that Clement would bring about an alliance between Francis I and Charles V and commission them to carry out a papal order deposing Henry. The pope was scheduled to meet Francis at Nice sometime in the summer of 1533. To make sure that Francis remained loyal to England Henry sent the Duke of Norfolk to France as his special ambassador.

Norfolk left England on May 26 and was not present at Anne's

coronation.⁷³ Several contemporary accounts of the coronation mention the duke as being present but they were confusing him with his brother William Howard who acted as Marshall of England in place of the Duke.⁷⁴

Norfolk's mission in France was clearly outlined in several letters of instruction from Henry. On June 14, 1533 the king ordered him to use his influence to have the meeting of Francis and Clement called off. Failing to do this he should attend the meeting. If, however, the pope in the meantime did anything harmful to England the Duke was to attend only as a friend of Francis and not to treat with the pope. Above all, he was to make sure that Francis and the pope did nothing hurtful to Henry.⁷⁵

Further instructions followed some weeks later. He was to continue his efforts to have the meeting canceled. If Francis refused, the Duke was to return to England. Sir Francis Brian and Sir John Wallop would then go to the interview but would not present themselves to the pope. The Duke was to tell Francis to impress on the pope that Henry would never go back to Catherine. If Francis wanted to be of service he would convince the pope to annul the marriage.⁷⁶

It was July 2 before Norfolk caught up with the French Court at Lyon. He planned to be at Nice by the middle of August.

⁷³ Ven. Cal., IV, 898

⁷⁴ L & P, VI, 584, 601

⁷⁵ L & P, VI, 641

⁷⁶ L & P, VI, 954

He conducted himself well and made a good impression on the French.⁷⁷ Suddenly his whole mission collapsed. On July 21 a courier arrived at Lyon from Rome and handed the Duke a note. The pope had acted. On July 11 sentence of excommunication had been pronounced against Henry. The Duke nearly fainted.⁷⁸

Henry immediately recalled his ambassadors from Rome, called Norfolk back from France, and prepared an appeal to a General Council. Francis tried to make the Duke remain. He refused to call off his meeting with the pope and convinced Norfolk it could do much good. The Duke delayed his departure for some weeks and before leaving promised to report the advantages of the interview to the king.⁷⁹ Norfolk reached London on September 1, and three days later Gardiner, bishop of Winchester, was sent to attend the meeting at Nice.⁸⁰ Actually the meeting occurred in November at Marseilles and it was there that Bishop Bonner notified the pope of Henry's appeal to a General Council.

This mission of Norfolk to France again raises the question of his attitude to the divorce and separation from Rome. Friedmann, speaking of Henry's appeal to a General Council, says that "the unwonted vigor displayed by Henry against Rome was rendered possible by the absence of the Duke of Norfolk, the chief of the conservative, aristocratic party".⁸¹ Norfolk's

77 L & P, VI, 830, 669, 688

78 Friedmann I, 220; L & P, VI, 979

79 L & P, VI, 1038

80 Ven. Cal., IV, 977; L & P, VI, 1069

81 Friedmann, I, 216

mission to France, he adds, was an ungrateful, impossible, task. "The scheme had clearly been devised by Cromwell, who already was trying to oust the duke from his position as prime minister, and who wished for the next few months to rule in the royal council."⁸²

Friedmann fails to give his source for these statements but he may have based some of them on a letter of Du Bellay, the bishop of Paris, dated December, 1533. Du Bellay stated that, after hearing of the sentence of excommunication, Norfolk was anxious to hurry back to England "lest, in his absence, others should cause his master to take the leap, for he felt there were many about him who only sought occasion to make him break irrevocably, while he and some other of the chief people of the land wanted to prevent a rupture".⁸³

Friedmann also says that Cromwell suggested Gardiner as Norfolk's successor in France. "Next to Norfolk he was Cromwell's chief rival....With Cranmer, Audeley, and Wiltshire at his back, Cromwell expected to be more than a match for the Duke alone".⁸⁴

This picture of the Duke of Norfolk as a sturdy champion of union with Rome, willing and able to defy the king, Cromwell, and Cranmer is a distorted one to say the least. That he and Cromwell were rivals is true. That Cromwell was glad to have him out of the way is easy to believe. But there is no evidence that

82 Friedmann, I, 218

83 L & P, VI, 1572

84 Friedmann, I, 227

the Duke's mission to France was a result of Cromwell's scheming. The fact is that Francis I had asked for him.⁸⁵ Moreover the choice was a logical one. He was now on friendly terms with the French and the papal court still regarded him with favor, as we shall see later.

The Duke probably was opposed to drastic action but there is no evidence that he had the courage of his convictions. Quite the contrary. Shortly before leaving for France, when the purpose of his mission was still secret, he was asked if he was going to Rome. He answered: "Me going to Rome; I will never go thither except with my lance in rest."⁸⁶

After he received news of the excommunication he quickly wrote to Henry "that he should not care a button about the said sentence, for he would not fail of adherents who would defend his rights by the sword, and that the most sure way to follow for the present would be to recall to England his subjects who are abroad, with all their good".⁸⁷ The king several times repeated this suggestion to his council.

The Duke's old friend Chapuys had no illusions about his loyalties at this time. Writing to the emperor in April, 1533, he urged him to wage war against England, giving as one reason that the English people were on the emperor's side, not only the common people "but the nobility in general with the single ex-

⁸⁵ Ven. Cal., IV, 896, 897

⁸⁶ Sp. Cal., IV, 2, 674

⁸⁷ L & P, VI, 1018

ception of the Duke of Norfolk and two or three more".⁸⁸

Earlier Norfolk had warned the Venetian ambassador to "beware of the pope"⁸⁹ and had told the papal nuncio in London that parliament would settle the divorce case; that this was necessary "as the Pope will not heed for the salvation of this kingdom".⁹⁰

Moreover, shortly after he returned to England Norfolk asked Cranmer to send up all books and writing in justification of "the king's great cause".⁹¹ His friendly relationship with the king was also demonstrated by the fact that the Duke of Richmond, Henry's bastard son, was being brought back from France to marry the Duke's daughter.⁹²

Finally, in December, 1533, Norfolk in the presence of the Council denounced the pope and "added 1,000 blasphemies, calling him an unhappy whoreson, a liar and a wicked man, and that it should cost him wife and children, his own person, and all that he possessed, or that [sic] he would be revenged on him."⁹³ Chapuys, who records this incident, adds:

He has a good deal changed his tune, for it was he alone [in] the Court who showed himself the best of Catholics, and who favored most the authority of the Pope; but he must act in this way not to lose his remaining influence, which apparently does not extend much farther than Cromwell wishes; for which

88 L & P, VI, 324; Sp. Cal., IV, 2, 631

89 Ven. Cal., IV, 837

90 Ven. Cal., IV, 867

91 L & P, VI, 1078, 1090

92 Sp. Cal., IV, 2, 787

93 L & P, VI, 1510

reason, I understand he is wonderfully sick
of the Court.⁹⁴

Chapuys was probably right in saying that Norfolk was going against his convictions in blatantly supporting the king's policy. There is much evidence indicating that the Duke was at heart in favor of continued union with Rome and suppression of heresy. For some time Henry had been dealing with the Lutherans in Germany in order to strengthen his position against the pope. When Chapuys asked Norfolk if this was true he replied that he didn't know "and the king would not communicate such matters to him, knowing his hatred of the sect." Moreover, he had opposed the admission of Lutherans to England because "jealousy, heresy, and frenzy were incurable diseases."⁹⁵

On another occasion when the nuncio complained to the Duke because Henry had allowed a preacher to say the pope was a heretic Norfolk said "the preacher was more Lutheran than 'le Martin' himself; and if it were not for the Earl of Wiltshire and another person, meaning the lady,...he would have burnt him and another doctor without mercy".⁹⁶ He asked the nuncio not to write to Rome about it, promising to prevent such things in the future.

The pope himself regarded Norfolk as one of his adherents in the struggle with Henry at least as late as September, 1532.⁹⁷ Even in late 1533 the Duke was urging, without success, that

94 L & P, VI, 1510

95 L & P, VI, 89

96 L & P, V, 1013

97 L & P, V, 834, 1291

Henry allow the annates to go to Rome.⁹⁸ No less a person than Anne Boleyn was suspicious of Norfolk's sentiments. In September, 1533, she was angry with the Duke for being too intimate with the Spanish ambassador who reported to the emperor that for this reason the Duke now avoided him.⁹⁹

The Duke's course of action, which seems to have been entirely contrary to his convictions, was probably dictated by his determination to remain in Henry's good graces at all costs, and by a profound conviction that nothing could change the king's mind. Time and again he expressed the belief that nothing could move the king from his course. In May, 1533, he told Chapuys "that he had not been either the originator or promoter of this second marriage, but on the contrary, had always been opposed to it, and tried to dissuade the King therefrom" but that he would never take Catherine back, "...for even should the Pope, the king of France, and the rest of the world entreat him to take her back he would never consent to it".¹⁰⁰ In November of the same year he again told Chapuys that "if the Pope and you, and the king of France and all the princes of Christendom were assembled, they could not convert the king", that is, make him take Catherine back.¹⁰¹

When Dinteville, the French ambassador, protested to Norfolk over Cranmer's granting the divorce the Duke said he regretted

98 L & P, VI, 1479

99 L & P, VI, 1125; Sp. Cal., IV, 2, 794

100 Sp. Cal., IV, 2, 698

101 L & P, VI, 1460

what was being done as much as Dinteville, but that he could not help it.¹⁰² Norfolk was simply trying to wash his hands of the whole affair, refusing to take responsibility one way or another. He told Chapuys that he "left the right or wrong of the king's desire to the doctors, for he knew nothing about it, and would not read any books on the subject, however the king pressed him".¹⁰³

However painful to Norfolk the king's actions had been up to this time, more drastic steps were to follow and the Duke prepared to submit to these new inroads on papal jurisdiction. Writing to Montmorency in January, 1534, when parliament was assembling, he said that unless the pope yielded to Henry the Church would lose many loyal subjects in England. Henry would permit public discussion of "questions which have been proposed by many famous clerks, prelates, and doctors here, and which are very prejudicial to the Pope and the See Apostolic".¹⁰⁴ Prominent among these questions was whether or not the pope had more jurisdiction outside of his diocese than other bishops. Norfolk professed to have been convinced by prelates and doctors that the popes did not and that their power was derived from princes, not from the creator. Then, showing a realistic grasp of the political situation in England, he predicted that

if the King allows them to put the matter forward...as he probably will at this

102 Friedmann, I, 211

103 L & P, VI, 89

104 L & P, VII, 111

present parliament, the Pope and his successors will lose the obedience of the whole realm, and what depends on his authority will be held in hatred and abomination. Other kingdoms will probably follow this example.¹⁰⁵

The Duke's prediction was accurate. Parliament in 1534 worked a revolution and completed the break with Rome. The Act of Annates was made final. Convocations was deprived of practically all its powers and Henry was authorized to appoint a commission to reform canon law. All abbeys and religious houses were placed under royal authority. All bishops and abbots were to be appointed by the king; payment of Peter's Pence and other fees to Rome was forbidden. A new submission of the clergy was required. A new act of succession made Anne's children heirs to the throne. An oath to the act of succession was to be required of all, and this oath implied a denial of papal authority.¹⁰⁶

There was little opposition to any of these measures. Chapuys said that while he expected parliament to do what the king wanted there were many of the party opposed to Anne who were displeased with Henry's wishes to renounce his obedience to the pope. Chief of these, he said, was Norfolk who told the French ambassador that neither he nor his friends would consent to it.¹⁰⁷ A vain boast. The king heard of it and Norfolk had to protest his loyalty again. Three weeks later, on March 30,

¹⁰⁵ L & P, VII, 111

¹⁰⁶ Pollard, Henry VIII, 319-321

¹⁰⁷ L & P, VII, 296

he was appointed, together with Cranmer, Audeley, and Suffolk, to the commission which was to receive the oath to the Act of Succession.¹⁰⁸

That Norfolk fully recognized the significance of the acts of the recent parliament which had virtually made Henry pope in England was demonstrated by an incident in council in May, 1534. The Scottish ambassadors attended a meeting of the council to settle a boundry dispute. The Scots wanted the pope to arbitrate. To which suggestion the Duke asked "Which pope?"¹⁰⁹

And yet Norfolk seemed to cling to hopes of eventual reconciliation between pope and king. In October reports reached England that Clement VII was seriously ill. Norfolk expressed to Henry the belief that he would have no difficulty obeying his successor. But Henry killed such hopes by saying "I shall take no more account of him [the new pope] than of any priest in this my kingdom".¹¹⁰ To make it official, Henry, in January, 1535, in the presence of Norfolk, Audeley, Wiltshire, and Cromwell took the title of Henricus Octavus, Dei gratia Angliae et Francise Rex, Fidei Defensor, Dominus Hiberniae, et in Terra Supremum Caput Anglicanae Ecclesiae.¹¹¹

Henry spent part of 1534 and most of 1535 trying to gain

108 L & P, VII, 393

109 Sp. Cal., V, 1, 152

110 Sp. Cal., V, 1, 280

111 L & P, VIII, 52

universal recognition in England of this title. The Oath to the Act of Succession, already referred to, was the principal instrument used to bring this about. All subjects who had attained the use of reason were required to take the oath.¹¹² It was Norfolk's unpleasant task to help receive the oaths, but he did not swerve from his policy of blindly obeying the king. It was he who presided at the trial and conviction of the Carthusian monks, and together with other members of the Council witnessed their execution.¹¹³ One of those executed was his former chaplain.¹¹⁴ Ironically, all he got for his pains was the anger of Henry who was displeased that the Duke had failed to reply to one of the monks who made a very fine sermon before his execution.¹¹⁵ Norfolk also presided at the trial of his old friend, Sir Thomas More.¹¹⁶

It was about this time that the suppression of the monasteries began. Henry distributed most of these lands among the nobles and gentry, no doubt to give them a vested interest in the new order, and Norfolk acquired his due share. The policy regarding the monasteries was not Norfolk's--that dubious honor belongs to Cromwell--but he took all he could get. His correspondence during this period, especially with Cromwell, contains

112 Constant, 129

113 L & P, VIII, 666; Sp. Cal., V, 1, 453

114 Wriothesley, Charles, A Chronicle of England During the Reigns of the Tudors from 1485 to 1559, 2 vols., W.D. Hamilton, ed., Camden Society, London, 1875, I, 27

115 L & P, VIII, 751

116 L & P, VIII, 974; Sp. Cal., V, 1, 507-509

frequent references to monastic lands acquired or desired. He cynically wrote to Cromwell that "the time of sowing is at hand, and every other nobleman hath already his portion".¹¹⁷

In May of 1535 Henry sent Norfolk on another mission to France. Its purpose was twofold. First, he was to try to arrange a marriage between the Duke of Angouleme, the third son of Francis I, and Princess Elizabeth; secondly, he was to persuade Francis to use his influence with the pope to have the papal decision regarding Henry's first marriage reversed.¹¹⁸ The mission was a failure on both counts and the Duke was back in England by the middle of May. An interesting thing about this mission of Norfolk is that some French circles believed that the Duke deliberately killed the success of the meeting because "he had sons and may desire the princess for one of them or if disorders ensued, to get the rule into his own hands."¹¹⁹ Francis himself said that Anne Boleyn and her brother suspected the Duke of wishing to make his son king and marry him to Princess Mary.¹²⁰

That Norfolk ever seriously entertained such bold designs is extremely doubtful. Earlier he had shied away from a marriage between his eldest son and Princess Mary, and his whole career was marked by a cringing subservience to the royal will. It is

¹¹⁷ L & P, XI, 434; XIII, 1, 1520; Sp. Cal., V, 2, 83; Friedmann, II, 237

¹¹⁸ L & P, VIII, 341, 746, 793

¹¹⁹ L & P, VIII, 909

¹²⁰ L & P, VIII, 985

hardly likely that he would now deliberately bring to ruin Henry's plans for the marriage of Elizabeth. As for seizing power in case of disorders it is even more unlikely. Norfolk knew better than most that a successful revolution in England was unlikely. And since the execution of Buckingham years ago he realized only too well the fate of pretenders to the throne.

It may be true, however, that Anne suspected his designs. Certainly she had been at odds with him for some time. About Christmas of 1534 they had a violent quarrel. The Duke stormed out of the royal chamber and, speaking to the first man he met, began to denounce Anne "bestowing on her the most approbrious epithets, and calling her among other things 'grande putain'".¹²¹ In disgust he retired from court for a while but Anne continued to seize every opportunity to bring him into disgrace.¹²²

Former Queen Catherine died in January, 1536, and on the day of her funeral Anne had a miscarriage. She knew what a tragedy that was. She had borne no sons, the king was tired of her, and now that Catherine was dead it might be possible to straighten out his affairs with Rome if Anne were disposed of. At any rate, she blamed Norfolk for the miscarriage, saying he frightened her by bringing news of a fall the king had six days before.¹²³

Burnet says that Norfolk and Bishop Gardiner thought they

¹²¹ Sp. Cal., V, 1, 355

¹²² Friedmann, II, 136; L & P, VIII, 263

¹²³ L & P, X, 282

saw a way out now that Catherine was dead. If Anne were disposed of Henry could be free to choose a wife, the male issue of the third marriage would succeed to the throne, and the pope and emperor would be placated.¹²⁴ This does not imply that Norfolk actually brought about Anne's fall. That was entirely the work of Henry. But talk of another divorce was common in court circles in early 1536. Norfolk could see the signs as well as anyone and no doubt the prospects of Anne's fall did not displease him. But his ideas on reunion with Rome were mere wishful thinking.

Anne Boleyn was arrested on May 2, 1536, and taken to the Tower by Norfolk, Audeley, Cromwell, and others. She was charged with incest and adultery. Norfolk presided at the trial, representing the king as High Steward of England. His son, the Earl of Surrey, sat at his feet, holding a golden staff for the Earl Marshall of England, an office Norfolk also held.¹²⁵ Sentence of death was pronounced and on May 19, 1536, Anne was beheaded.

Well before the execution of Anne Boleyn the break from Rome had become complete and final. We have seen that during those long years of involved diplomacy and treachery Norfolk had blindly followed the king, aiding and abetting him in all those steps that led to the schism. We must now examine his conduct

 124 Burnet, I, 315

125 Wriothesley, I, 37; L & P, X, 876

during that period when Henry's policies were challenged by an armed rising of Englishmen.

CHAPTER IV

THE PILGRIMAGE OF GRACE

The success of Henry VIII's religious and political policy was suddenly threatened when, in the fall of 1536, a great demonstration against these policies occurred in Lincolnshire and Yorkshire. This movement of protest is known in history as the Pilgrimage of Grace. It is not our purpose here to study the causes and the course of the Pilgrimage. Detailed studies of this movement have already been made.¹ Rather it is our purpose to examine the part played by the Duke of Norfolk in suppressing this uprising. For here was one of those events which might have decisively influenced the course of the English schism. It failed and the schism went its uninterrupted way. Had it succeeded the history of England, and possibly of Europe, would have been greatly altered. Circumstances placed Norfolk in one of the key roles in the suppression of what might have been a momentous revolution. His conduct at this time gives us a valuable insight into his character.

The Pilgrimage of Grace began in Lincolnshire on October 1,

1 The best work on this subject is Madeline Hope Dodds and Ruth Dodds, The Pilgrimage of Grace 1536-1537 and the Exeter Conspiracy 1538, 2 vols., Cambridge University Press, 1915

1536. It was a spontaneous demonstration against certain policies of the government, especially the suppression of the monasteries. The movement never became a rebellion. It was not aimed against the king or any existing institution. The pilgrims

desired that holidays might be kept as before; that the Church might be relieved of the payment of first fruits and tenths; that the suppressed houses of religion should be restored...and that the bishops of the new learning, the lord privy seal, the master of the rolls, and the chancellor of augmentations should be delivered up and banished from the realm.²

By October 6 nearly 40,000 men, representing all classes, had gathered at Lincoln under a banner blazoned with the five wounds of Christ, a chalice with a Host, a plough, and a horn. A list of their demands was sent to the king.

Henry VIII's reaction to the news of the uprising was immediate and violent. At first it was his intention to have the Earl of Shrewsbury put down the demonstration with the small force at his disposition. Then, as further news came to him and it became evident that the pilgrims were in great number, he developed more elaborate plans. The Duke of Suffolk was commissioned to lead an army against the pilgrims and the Duke of Norfolk was sent to Ampthill where, as High Marshall, he was to set in order troops being gathered. Henry himself planned to lead this army to the North.³

2 Fisher, 399

3 Dodds, I, 118, 119

Henry sent a stinging reply to the demands of the rebels. He rebuked them for their presumption in advising him how to rule his kingdom, ordered them to disperse, and promised them a free pardon. This letter, accompanied by a threatening note from Suffolk, whose army was approaching Lincoln, reached the rebels on October 10. After prolonged discussion the pilgrims decided to disband, after delivering 100 of the leaders as hostages to the king. By October 13 the Lincolnshire rising was over.⁴

Thus far Norfolk had played a very minor part in the King's plan. But on October 9 another and far more serious uprising began in Yorkshire under the leadership of Robert Aske. From that time on Norfolk assumed a most important role.

At the time of the rising in Lincolnshire the Duke of Norfolk was living at his country home, having retired from court in semi-disgrace for his opposition to Cromwell. He heard the news of the uprising with pleasure. He didn't at first think it was serious and he hoped to use the occasion to get back in favor at the court. On October 5 he set out for the court in good spirits.⁵ He was disappointed to learn that Suffolk had been given command. He was ordered to Ampthill and told to send his son, the Earl of Surrey, and his horses to Suffolk. He himself was to remain in Norfolk and maintain order.⁶

4 Fisher, 403, 404

5 L & P, XI, 576

6 Dodds, I, 120

Suffolk had been put in command because Henry didn't trust Norfolk, suspecting him of sympathy for the old religion and therefore for the cause of the pilgrims.⁷ He protested to the king, asking for active duty. By this time Henry was aware of the serious nature of the uprising and decided that Norfolk, the man most respected in the North as well as the most renowned military leader in England, was really needed. He therefore called him to London and instructed him to take command of the armies marching toward Yorkshire.⁸

By October 21 Shrewsbury, in command of the advanced forces, had advanced as far North as Scrorby and Norfolk was only as far as Cambridge. Norfolk wanted to establish a line at the Trent but Shrewsbury, not knowing of the Duke's intention, pushed on to the Don which was in hostile territory. Norfolk's great fear was that Shrewsbury would attack before he arrived on the scene.⁹ It was the Duke's intention to avoid bloodshed if possible. Accordingly, on October 24, he sent a message to the pilgrims urging that four of their leaders meet with him at Doncaster to discuss the causes of the uprising.¹⁰ Knowing that he was the most popular nobleman in the North because of his part in Flodden Field, he hoped to use his influence to win over the rebels.¹¹ Though the pilgrims possessed overwhelming

7 L & P, XI, 576

8 L & P, XI, 626

9 Dodds, I, 249

10 L & P, XII, 1, 6, 392, 1175

11 L & P, XI, 846

force--about 40,000 men to the Duke's 8,000--they wished to avoid a bloody civil-religious war and accepted the Duke's offer to treat. Many of the pilgrims had been in favor of fighting. They wished that the king had not sent Norfolk. "No Lord in England could have stayed them but my lord of Norfolk" who was a hero because of Flodden. Moreover they suspected that he hated Cromwell and the suppression of monasteries too.¹²

News of this acceptance of his offer came to Norfolk when he was still fourteen miles from Doncaster, on October 25. He hastily wrote to the king and departed for Doncaster about midnight. The pilgrims didn't completely trust Norfolk and that their fears were well grounded is evident from the letter he sent to the king just before leaving for the meeting at Doncaster. He wrote:

I beseech you to take in good part whatsoever promises I shall make unto the rebels...for surely I shall observe no part thereof...thinking...that no oath nor promise made for policy to serve you mine only master and sovereign can distain me who shall rather be torn in a million pieces than show one point of cowardice or untruth to your majesty.¹³

The next day, October 26, the pilgrims held a muster of more than 30,000 men and presented their demands to Norfolk. Briefly, their demands were: 1. The old faith was to be maintained. 2. The ancient liberties of the Church were to be restored; 3. Unpopular laws were to be repealed; 4. "villein blood"

12 L & P, XI, 1319; Dodds, I, 265

13 L & P, XI, 864

was to be removed from the Council and the nobles returned; 5. Cromwell and the heretical bishops were to be expelled from office and punished.¹⁴

No complete record of this first meeting at Doncaster is available to us. It seems though that Norfolk at first tried to influence the nobles, many of whom had been dragged into the movement against their wills, to desert the pilgrims whom they were representing.¹⁵ Failing in this he apparently pretended to be in sympathy with their cause. He later was accused of favoring them and agreeing with their complaints but vigorously denied it.¹⁶

No final action was taken at this first meeting at Doncaster. It was agreed, however, that Norfolk and two pilgrim leaders would ride in haste to the king and present their demands. Within two days the rival armies were to disperse and a truce observed until the messengers returned from the king.¹⁷

Norfolk and two leaders of the rebels reached London and saw the king on November 2, 1536. Henry restrained his disappointment at the arrangements made by Norfolk and drew up an answer to the pilgrims' demands and sent it North. It amounted to a declaration of war. No concessions were given and no pardon promised.¹⁸ The Duke was dismayed by this uncompromis-

14 L & P, XII, 1, 1022

15 Dodds, I, 266

16 Herbert, 492; Dodds, I, 267

17 Dodds, I, 267

18 L & P, XI, 975

ing action but did not dare argue with the king.

Before the messenger bearing Henry's letter had proceeded far supplementary news from the North persuaded the king that the rebels were as strong as Norfolk's reports indicated. Previously he had urged fighting the rebels but he now agreed to follow Norfolk's recommendation to delay action, hoping that the pilgrims would disband and go home. The messenger was recalled.¹⁹

Norfolk took advantage of the delay to dispatch a secret letter to Lord Darcy, one of the rebel leaders, urging him to save his life by delivering Aske to the king "dead or alive."²⁰ That noble gave the Duke a lesson in integrity and moral courage by refusing to do so and urging him to tell the king to quit stalling. Darcy must have known that ~~his~~ letter sealed his fate.

After waiting a week Henry, thinking the rebels had dispersed, sent on his original answer to their demands. It was read to the pilgrims on November 11. They were angered and called new musters.²¹

After waiting another week Henry sent the pilgrims' ambassadors back North. They had letters from the king and Norfolk but no definite promises. Norfolk would meet with 300 of their representatives at Doncaster and give the king's full

19 Dodds, I, 279-80

20 L & P, XI, 1039

21 Dodds, I, 295-6

reply. On his way up from London Norfolk heard that the rebels, still angered by the king's reply, had not yet decided to treat again. He hastily wrote to Darcy begging him to maintain peace and swearing that on the king's side nothing was "thought or meant to impeach the same our good purpose."²²

The pilgrims held a great council on November 21 at York to decide on policy. Many demanded that negotiations be cut off and fighting begun. But the peace party carried the day and they agreed to meet Norfolk at Doncaster December 5. Among the most convincing arguments advanced by the peace party was that they would not be dealing with Cromwell but with Norfolk who was "faithful and honourable".²³ The council at York also drew up a new, more detailed, list of their grievances and sent it to Norfolk and the king. Henry's answer to this was haughty. He rebuked them for accepting the leadership of "such a villain as Aske" but promised them mercy if they disbanded and delivered certain leaders to him.²⁴

The king was, however, somewhat frightened.

Henry never more than half believed Norfolk's reports of the rebels' strength, because he knew that the Duke secretly sympathised with the enemy....There were continued rumors that Norfolk had either gone over to the Pilgrims or allowed himself to be taken by them. He himself said that he could not trust his men, and there was even a story that one of

22 L & P, XI, 1121

23 L & P, XI, 1127; Dodds, I, 315

24 Dodds, I, 323

the soldiers had attacked him with a dagger.²⁵

Henry could have saved himself that worry. Norfolk would continue to heed his slightest wish with slavish loyalty.

Norfolk left for the North on November 14. He had instructions to try to convince the rebels to submit to the king and to take the oath administered to the Lincolnshire rebels. Failing this he was to gain time, then attack at the first opportunity.²⁶ On November 27 further instructions from the king arrived. The Duke was not to give hostages for Aske, neither was he to grant a 14 day truce.²⁷ Norfolk answered with a gloomy letter to Henry, outlining the black prospects that lay ahead.

This letter angered the king. The Duke was now indispensable to him; he had no one to take his place. Yet he did not trust Norfolk. He thought the Duke was trying to frighten him into making concessions to the rebels.²⁸ On December 2 he wrote a stinging reply to Norfolk's letter. He said that earlier he had promised not to honor his word to the rebels, then had made a truce and disbanded his army; earlier he had said he could hold the Trent, now he was not sure, and so on. Henry concluded: "We have now declared to you our whole stomach.... which if you take as it is meant we doubt not but you will thank us, and by your deeds cause us eftsoons to thank you."²⁹

25 Dodds, I, 329

26 L & P, XI, 1064

27 L & P, XI, 1174

28 Dodds, II, 5

29 L & P, XI, 1226

Receipt of this letter naturally worried the Duke who feared that his position with the king would be hurt. He was desperately anxious to settle the whole business.³⁰

But on the same day that Henry had sent that letter to Norfolk the Duke of Suffolk had sent another letter to the king. Its tone was desperate. Henry must make concessions if war was to be averted. Sir Francis Brian delivered the letter. Henry trusted Brian and Suffolk and was at last convinced that Norfolk had been telling the truth. New orders were sent urging a delaying policy. Norfolk was to convince the rebels to be satisfied with a general pardon and the promise of a parliament in the North to be called in September, 1537. He agreed to Norfolk's suggestion that a twenty day truce be granted if necessary and that the time be used to round up more troops.³¹

With these new instructions Norfolk met the pilgrims in a preliminary conference at Doncaster on December 5. The following day 20 rebels, 10 nobles, and 10 commoners, led by Aske, met the Duke again. The negotiations proceeded rather smoothly. Norfolk promised, on his own authority, that the monasteries would be allowed to stand till the next parliament, though he knew Henry would not permit this.³² The Duke completely misled the pilgrims. He made them believe that Henry had been misled by Cromwell. Now his eyes were open. He would grant them all they wanted. But

30 Dodds, II, 5

31 L & P, XI, 1227; Dodds, II, 8

32 Dodds, II, 15

they must not expect him to do so under threat of force. If the pilgrims accepted the pardon and went home all would be well. Most of the pilgrims regarded the Duke as almost one of them and after some argument they accepted this settlement: a free pardon, a parliament in the North, and restoration of the monasteries. Nothing was put in writing. Norfolk led them to believe that he would go to the king, write the treaty and get the king's seal on it.³³ The pilgrims went home, not knowing that the Duke had betrayed them and sealed their fate.

The Doncaster conference ended December 9 and Norfolk returned to London. The pilgrims expected him back with a formal treaty by Christmas. Naturally he did not return. Meanwhile Henry had lured several of the rebel leaders, including Aske, to London. He hoped to provoke the leaderless commons into a rebellion which could easily be put down and which would give him an excuse to break the Doncaster agreement.³⁴

The plan succeeded. The North was clamoring for Norfolk's return. Wild rumors had it that Aske had been beheaded and Norfolk put in the Tower. Fearing that the king was preparing to betray them a group of rebels led by Hallom and Bigod made a vain attempt in January, 1537, to capture Hull and Scarborough.³⁵ Henry now released Aske and his companions. They were to quiet the rebels and tell them that Norfolk would come

33 Dodds, II, 15-18

34 Dodds, II, 45, 46

35 Fisher, 414

North soon.³⁶

Norfolk did leave for the North a short time later. But not to bring a formal treaty. He came with instructions to administer the king's oath to all, to drive out the monks and nuns, and to execute those who refused to take the oath, if he dared.³⁷ He reached Doncaster on February 1. He found disturbances in the North but the nobles had deserted the commons. Declaring martial law, he spent the next two weeks visiting towns, administering the oath, and executing "traitors". Then he turned his attention to the monasteries, expelling the monks and nuns. Cromwell had hinted that the Duke was in sympathy with them but Norfolk now boasted that he was "no papist nor favorer of naughty religious persons".³⁸

The Duke's oppressive measures caused a rebellion in Westmorland, led by Nicholas Musgrove and Thomas Tibley. Norfolk received word of it February 14 and was pleased at the chance to fight and show his servility to the king. He said: "Now shall appear whether for favour of these countrymen I forbore to fight with them at Doncaster."³⁹ But before he could arrive on the scene Sir Christopher Dacre had dispersed the rebels. Norfolk ordered all who took part in the rebellion to sue for pardon. About 6,000 did so. The Duke picked 70 of them for trial and all were executed. To the king he wrote: "...though the number

36 Dodds, II, 48

37 L & P, XII, 1, 98

38 Dodds, II, 111

39 L & P, XII, 1, 439

be nothing so great as their deserts did require to have suffered, yet I think the number hath not been heard of put to execution at one time".⁴⁰ The rebels were hanged in their own villages "in trees in their gardens to record for memorial the end of the rebellion".⁴¹ Women cut down some of the bodies and buried them secretly. Both the king and Norfolk were annoyed at this and those caught were severely punished.⁴²

The Duke's letters to the king at this time were characterized by a disgusting servility. His only aim apparently was to please his sovereign. But in March he suggested that the number of executions be cut. "Folks think the last justice at Carlisle great, and if more than 20 suffer at Durham and York it will be talked about", he wrote to Henry.⁴³ In April he boasted that his policy had struck such terror into people that no one then living was likely to see another rebellion.⁴⁴

On May 7 the king and Cromwell wrote to Norfolk and enclosed indictments charging Lord Darcy, Robert Aske, Sir Robert Constable, Sir Thomas Percy and numerous other leaders of the pilgrimage with treason and conspiracy against the king.⁴⁵ In order to have the accused brought to London it was necessary to have the indictments found true bills by a Yorkshire jury. There were two identical indictments and Norfolk decided that he was

40 Dodds, II, 120

41 Dodds, II, 120

42 L & P, XII, 1, 1156

43 L & P, XII, 1, 609

44 Dodds, II, 134

45 L & P, XII, 1, 1207

to hold two separate inquests. To make sure that true bills were returned he decided upon a scheme almost diabolical in its cruelty. He called two juries, keeping each ignorant of the actions of the other. The first jury consisted of 21 men made up almost entirely of relatives of the accused including John Aske, Robert's brother. The other consisted of 20 hand-picked men who were sure to vote a true bill. Thus the men on the first jury were in a hopeless position. If they voted no true bill they would be accused of frustrating justice for the sake of their relatives. Norfolk would dismiss them and get another jury to do his dirty work. In other words, the kinsmen of the accused could compromise themselves but not save their relatives. On the other hand if they voted a true bill Norfolk could hypocritically say that even their own relatives had condemned those indicted.⁴⁶

The accused were taken to London for trial and were, of course, found guilty. Constable and Aske were sent North to be executed by Norfolk. Aske was hanged at York July 12, 1537.⁴⁷ Constable was executed at Hull July 6, and Norfolk boasted that his body "doth hang above the highest gate of the town so trimmed in chains...that I think his bones will hang there this hundred year."⁴⁸

Norfolk wasted no sympathy on these victims. Instead, he

46 Dodds, II, 135-6

47 L & P, XII, 2, 229

48 L & P, XII, 2, 229

used their misfortunes to improve his position financially and politically. During the long questioning which Aske was submitted to when he was returned to London the Duke was most interested in discovering what had happened to all the money he had collected.⁴⁹ He tried hard to get for himself some of Percy's confiscated lands.⁵⁰ And above all he was trying to improve his position at Court by showing his utter loyalty to the king and devotion to Cromwell. At Constable's execution Norfolk went out of his way to speak to Sir William Parr, a friend of Cromwell. The Duke told Parr that he was as much bound to Cromwell as ever nobleman could be to another. "Sir William, no man can report more than I know already, for I have found such assured goodness in him to me, that I never proved the like in any friend before; and therefore myself and all mine shall be, as long as I live, as ready to do him pleasure as any kinsman he hath."⁵¹ This about a man he hated and despised! Parr carried the message back to Cromwell, which, of course, the Duke expected him to do. Shortly before his execution Aske revealed that he had discovered that Cromwell didn't like the Duke as much as he had thought. This provoked another hypocritical exchange of letters between the Duke and Cromwell.⁵²

During the spring and summer of 1537 Norfolk wrote a number

 49 Dodds, II, 209

50 L & P, XII, 1, 1173

51 L & P, XII, 2, Appendix, 31

52 L & P, XII, 2, 291, 292

of letters to the king asking to be recalled to Court. His character, he said, was being attacked in his absence. There were rumors that he had encouraged the rebels; his enemies were saying that he had called his son Surrey North so he could succeed him, and so on. All these were false tales, he said.⁵³

Henry refused these requests, saying the Duke was needed there, at least until he visited York. The Duke's anxiety to return to Court may have been prompted by a fear for his life for he was now thoroughly hated in the North.⁵⁴

The Duke was organizing the new government in the North. A Council of the North had been tentatively formed early in 1537 and Norfolk was president, though his powers were limited. He suggested to Henry that what the North needed was a single ruler with real power, probably hoping that he would be named to that position. But the king rejected this suggestion.⁵⁵

Probably having the rumors of his sympathy for the rebels in mind the Duke made it a point, in the spring and summer of 1537, to encourage anti-papal preachers who were sent to the North.⁵⁶ He also boasted loudly "That in no country was God better served, and that the Bishops of Rome had no authority outside their diocese."⁵⁷

The Council of the North was formally established in August,

53 L & P, XII, 1, 1157

54 Dodds, II, 251

55 Dodds, II, 235-6

56 L & P, XII, 2, 9; XII, 1, 1158

57 Dodds, II, 249

1537, with Bishop Tunstall as president. Finally Henry granted Norfolk's repeated pleas to return to London. On October 6, 1537, the Duke started south, his work accomplished. He had through treachery and cruelty suppressed the one effort which might have restored to England the faith which he in his heart always clung to. At least 185 persons were executed in the North for their part in the Pilgrimage of Grace. Thirty-one were executed in the South. Many others died in prison without trial, but how many we do not know for many of the records have been lost.⁵⁸ When Norfolk began his southward journey the people of the North rejoiced. They were glad to be rid of "this false Duke."⁵⁹

58 Dodds, II, 226

59 Dodds, II, 274

CHAPTER V

THE LAST YEARS, 1537-1547

With the failure of the Pilgrimage of Grace Henry's supremacy over Church and State in England was definitely established. This had been the object for which he had been striving since the opening of the Reformation Parliament in 1529. The remaining years of his reign were to be devoted to strengthening his position in Scotland, Wales, and Ireland and to establishing religious unity in England.¹

It was fortunate for Henry VIII that during the disturbances in the North Francis I and Charles V were at war. But in June, 1538, they signed a ten year truce at Nice, through the mediation of the pope. In December of that year there was much agitation in papal circles for the execution of the bull of 1535. The pope urged Francis and Charles to invade England and depose Henry. The English monarch, acutely aware of the danger, strove mightily to sow discord between the two monarchs. For this delicate and highly important work Henry called on his experienced servant, the Duke of Norfolk.

Burnet says that during these years Norfolk constantly tried to drive Henry into an alliance with Charles, and through

¹ Pollard, Henry VIII, 363

him, to submission to the pope.² Nothing could be farther from the truth. Norfolk was the most ardent champion of a French alliance. All the correspondence of the period bears this out and the Duke's pro-French policy was one of the points of contention with his bitter rival, Cromwell.

As early as 1535 Chapuys complained to the emperor of Norfolk's anti-imperialistic attitude. There is constant repetition of this statement in the following years. With considerable malice both Chapuys and Cromwell attributed Norfolk's attitude to the fact that Francis I was still paying a pension to the Duke whereas Charles V had defaulted.³ In May, 1538, Castillon, the French ambassador in England, reported that Norfolk "is so snubbed and so suspect for the affairs of France, that for the present his advice is not much asked".⁴

Early in 1540 Henry sent Norfolk on an important mission to France. He was instructed to try to convince Francis that he was gaining nothing by his alliance with Charles, to make Francis distrustful of his ally, and, if possible, arrange an alliance between England and France.⁵ The Duke left for France in early February and remained there a month. He failed to break the alliance of Francis and Charles but he returned well satisfied. He had succeeded in making Francis suspicious of the designs of

 2 Burnet, I, 468

3 L & P, VIII, 502; X, 1069; XI, 40; XIII, 1, 1135, 1147;

4 Sp. Cal., V, 2, 54, 161, 190

4 L & P, XIII, 1, 995

5 L & P, XV, 145

Charles. Moreover, he assured Henry that even if Francis kept the alliance he would not molest England.⁶

Henry was so well satisfied with Norfolk's mission that he placed the management of affairs mostly in the Duke's hands.⁷ Shortly after his return Cromwell fell from power, as we shall see presently. Norfolk continued his French policy after Cromwell's fall. Throughout the latter part of 1541 and early 1542 he was negotiating for the marriage of the Duke of Orleans and Princess Mary. For a while he had Henry's consent to the plan.⁸ It is interesting to note that Bishop Gardiner, who usually worked closely with Norfolk, was strongly opposed to the French alliance.⁹

All this came to nothing when war between Francis and the emperor broke out anew in 1542. Within a year England entered the war on the side of Charles. Norfolk's pro-French policy was discarded because of French aid to the Scots and the plan of the Scots to marry their queen to a French prince.¹⁰ Henry could not permit the establishment of such a bond between the French and his old Scot enemies. An alliance with Charles was the result. Norfolk delivered the ultimatum to the French, was present when Henry swore to the treaty with Charles, and commanded the army invading Scotland.¹¹

6 L & P, XV, 202, 222, 224, 233, 289

7 L & P, XV, 926; Sp. Cal., VI, 1, vi (Introduction)

8 Sp. Cal., VI, 1, 354, 356, 379; L & P, XVI, 1090, 1366

9 Muller, 101

10 Pollard, Henry VIII, 409

11 L & P, XVIII, 603, 754; Sp. Cal., VI, 2, 152

No doubt Norfolk's greatest triumph during these years was the fall and execution of Cromwell in the summer of 1540. They had been bitter rivals for years. We have already seen that Norfolk's expectation to be the king's first lieutenant after Wolsey's fall was frustrated by the rise of Cromwell who was better equipped than Norfolk to help the king make himself supreme in England. The relationship between these rivals in the 1530's was strained. Though open quarrels occurred at times¹² they kept up a pretense of friendship, with Norfolk often hypocritically protesting his love for the king's chief minister.¹³

Norfolk's pretense of friendship may have been prompted in part by the fact that the distribution of confiscated monastic lands was pretty much in Cromwell's hands. In the fall of 1537 these two teamed up to acquire for themselves the monastery of Lewes, the oldest Cluniac monastery in England, splitting the spoils on a two to one basis in favor of Cromwell.¹⁴ Almost to the end of Cromwell's life Norfolk was corresponding with him about monastic lands.

Cromwell's fall was only indirectly the work of Norfolk. After the execution of Anne Boleyn Henry married Jane Seymour who died shortly after bearing a son, the future Edward VI. Henry then considered a French or Spanish marriage but finally decided to marry Anne of Cleves. This marriage and its

 12 L & P, VII, 1141; Sp. Cal., V, 1, 254; 2, 191

13 L & P, VIII, 666; XI, 233; XIII, 2, 365

14 Gairdner, James, Lollardy and the Reformation, 4 vols., Macmillan & Co., London, 1909, II, 111

accompanying alliance with German princes was the result of Cromwell's work.¹⁵ Henry was disgusted with Anne and the German alliance was an unnatural one. Henry's anger descended on Cromwell, the originator of the whole scheme.

The king decided to dissolve the marriage as soon as he could safely do so. That opportunity presented itself when Norfolk returned from his successful mission to France, already referred to. Convinced that the alliance between Francis and Charles was at the breaking point and that Charles would be involved in German affairs for some time, Henry felt free to disentangle himself from his German allies and had his marriage with Anne dissolved.¹⁶

On June 10, 1540, Norfolk, in the king's name, charged Cromwell with treason, arrested him, and sent him to the Tower after snatching off the order of St. George which he bore on his neck.¹⁷ The Duke boasted that Cromwell would be executed immediately after the close of parliament and that "his end will be the most ignominious in use in this country".¹⁸ The official charge against Cromwell was that he had "not only been counter-working the King's aims for the settlement of religion, but had said that, if the King and the realm varied from his opinions, he would withstand them, and that he hoped in another year or two to

 15 Pollard, Henry VIII, 385

16 Pollard, Henry VIII, 393

17 L & P, XV, 767, 804; Sp. Cal., VI, 1, 540

18 L & P, XV, 847

bring things to that frame that the King could not resist it."¹⁹ He was executed July 28, 1540. He pleaded for mercy but to no avail. According to Burnet one of his letters to the king nearly secured his release "but the charms of Catherine Howard, and the endeavours of the duke of Norfolk and the bishop of Winchester, at length prevailed".²⁰ Cromwell's sponsorship of the Cleves marriage and the alliance with heretics, which it involved, probably had much more to do with his death than did the opposition of Norfolk.

Yet his influence in Cromwell's fall must not be minimized. Norfolk and Gardiner are generally credited with being the promoters of the Cleves divorce and the marriage with Catherine Howard which followed almost immediately.²¹ Catherine was the Duke's niece and her marriage to the king on July 28, 1540, was considered a triumph for the Catholic party, which hoped that "she was to play the part in the Catholic reaction that Anne Boleyn had done in the Protestant Revolution".²² Norfolk's position at Court was now excellent. Once again he was the king's first minister. Henry himself was happy in his new marriage.

Her [Catherine's] views and Norfolk's were closer to his than Boleyn's and Cromwell's had been. Until almost the close of his reign Norfolk was the chief instrument of his secular policy, while Gardiner represented his ecclesiastical views; but neither

19 L & P, XV, 765-67; Pollard, Henry VIII, 394

20 Burnet, I, 453

21 Sp. Cal., VI, 1, 549; Pollard, Henry VIII, 142

22 Pollard, Henry VIII, 397

succeeded to the place which Wolsey had held and Cromwell had tried to secure.²³

Though it was Gardiner who was the king's chief ecclesiastical adviser during this period there is no doubt that Norfolk was also a staunch supporter of orthodoxy. His contemporaries, especially the reformers, regarded him as the lay leader of the Catholic reaction.²⁴ After Cromwell's fall it was Henry's fixed religious policy to impose upon his subjects the orthodox doctrines of his Church.²⁵ Already in 1539 he had proclaimed the Six Articles, which were a restatement of essentially Catholic doctrine. To Norfolk fell the task of introducing the bill into the House of Lords and leading the fight to have it enacted into law.²⁶

Pollard may have exaggerated when he said that Norfolk's "taste for burning heretics ceased only with his death"²⁷ but the Duke certainly did approve of their persecution. In 1540 he boasted that

never prince with more affection and with more charitable dexterity hath and daily doth persecute such ungracious persons as do preach and teach ill learnings, or against any of the old ceremonies of the Church than the King doth....his Highness is of such sort that I think all Christendom shall shortly say the King of England is the only perfect of good faith. God save him!²⁸

23 Pollard, Henry VIII, 399

24 Gairdner, English Church in the Sixteenth Century, 218

25 Pollard, Henry VIII, 399, 400

26 Lingard, V, 127-8; Muller, 81

27 Pollard, Cranmer, 179

28 L & P, XV, 429

About this time he admitted that he had never read the Scriptures and never would and said that "it was merry in England before this new learning came up".²⁹ On another occasion he rebuked a man for marrying a nun. When the man said there were no nuns, that the king had freed them, the Duke replied, "By God's body sacred, it will never out of my heart as long as I live".³⁰

This orthodoxy of Norfolk did not, however, extend to the recognition of the pope's authority. He never weakened in his support of Henry's claim to religious supremacy. Writing to Cromwell in 1538 he said he expected that God would "shortly punish the bishop of Rome and his ungracious cardinals and all who support their damnable proceedings".³¹ In 1544 when Cardinal Du Bellay visited him at the camp before Monstrell the Duke refused to confer special honors on him merely because he had a title from the "Bishop of Rome".³²

The influential position which the Duke of Norfolk had held since the crowning of his niece Catherine was suddenly threatened when in November, 1541, the king was presented with proof of misconduct on the part of his queen, both before and after her marriage. Numerous members of the Howard family were arrested and the Duke feared for his life. As uncle of the unfaithful queen and promoter of the marriage he was in grave danger of

29 L & P, XVI, 101

30 L & P, XVI, 101

31 L & P, XIII, 1, 784

32 L & P, XIX, 2, 182

falling victim of the king's wrath.³³ He withdrew from court and retired to his house fifty leagues from London. He was reported to have said that he wished the queen was burned to death.³⁴

Though Norfolk was proud of his family and its position in England he made no attempt to save anyone but himself. From his country home he abjectly wrote to the king:

I learnt yesterday 'that mine ungracious mother-in-law, mine unhappy brother and his wife, with my lewd sister of Brydgewater, were committed to the Tower' and am sure it is not done but for some false proceedings against Your Majesty. Weighing this with the abominal deeds done by two of his nieces, and the repeated treasons of many of his kin he fears the King will abhor to speak to him or his kin again. Prostrate at the king's feet, he reminds his Majesty that much of this has come to light through his report of his mother-in-law's words to him....His own truth and the small love his mother-in-law and nieces bore him, make him hope, and he begs for some assurance of the King's favor, without which he will never desire to live.³⁵

Norfolk escaped the king's vengeance. On January 11, 1542, a month before Catherine's execution, the king informed him that he could safely return to London. On January 17 Marillac informed Francis I that Norfolk had arrived in Court "apparently with his former credit and authority".³⁶ Early in April he again left for his home. He had been "ill in body and mentally worried" all during Lent. By June he had recovered and the king

33 L & P, XVI, 1332; Sp. Cal., VI, 1, 396

34 L & P, XVI, 1359; Sp. Cal., VI, 1, 412

35 L & P, XVI, 1454

36 L & P, XVII, 19, 100

again called for him.³⁷ War against the Scots was brewing and Norfolk's fame as a military commander stood him in good stead. He was commissioned to lead a campaign against the Scots in 1542, and when war with France broke out the following year he crossed the channel to direct for a time the operations against Boulogne.³⁸ Until peace was restored in 1546 much of his time was taken up with military affairs.

Evidence that Norfolk was still influential after Catherine's fall is found in the records of the Privy Council. From 1542 to 1546 he attended the meetings regularly, with occasional lapses of a few months, caused no doubt by military and political missions which kept him from London. His attendance at the meetings ceased in August, 1546. He attended only one more meeting after that, on October 27. All together he attended the Privy Council meetings more frequently than Cranmer, Audeley, and Suffolk, but not as much as the Earl of Hertford, Lord Russel, Gardiner, and others.³⁹

Though Norfolk's position remained strong the fall of Catherine Howard was a blow to the Catholic party. Henry soon married his sixth and last wife, Catherine Parr. She exerted considerable influence on the king and her sympathies were definitely with the reformers.⁴⁰ Besides, Cranmer and Audeley were

37 L & P, XVII, 235, 392

38 Pollard, Henry VIII, 413

39 Dasent, John Roche, Acts of the Privy Council of England, 2 vols., London, 1890, I, 576-9

40 Pollard, Henry VIII, 416

still in the Council and the power of Hertford, Edward VI's uncle, was growing. All these men favored a change in doctrine. The king was growing old and the last few years were marked by a bitter struggle for supremacy among his councillors. One aspect of this struggle was the quarrel between the supporters of orthodoxy in doctrine on the one side and the reformers on the other. Gardiner and Norfolk were the most determined champions of the old faith.⁴¹

Two unsuccessful moves against the reformers mark the closing phase of Henry's reign. One was a plot against Cranmer, another against Catherine Parr. Norfolk had a hand in the first and probably in the second. Late in 1545 or early in 1546 one faction of the Council plotted to have Cranmer put in the Tower and examined on his religious convictions. Norfolk was the leader of this group.⁴² They thought that if Cranmer were placed in the Tower people now afraid to speak would testify against him. Henry, however, was not convinced by the evidence presented by Norfolk's group. He rebuked them: "I would you should well understand that I account my Lord of Canterbury as faithful a man towards me as ever was prelate in this realm...and therefore who so loveth me...will regard him thereafter". Norfolk said they had meant no harm, that a trial would set Cranmer at liberty and give him more glory. But Henry said, "Well I pray you use not my

⁴¹ Pollard, Henry VIII, 416

⁴² Burnet, I, 540; Morice, Ralph, "Anecdotes and Character of Archbishop Cranmer", in Nichols, John G., Narratives of the Days of the Reformation, Camden Society, London, 1859

friends so. There remaineth malice among you one to another; let it be avoided out of hand, I would advise you". The Lords then shook hands with Cranmer "against whom nevermore after no man durst spurn during the king Henry's life".⁴³

The plot against Catherine Parr, who was known to favor the advanced group, came closer to success. Bishop Gardiner, and possibly Norfolk, tried to convince Henry that she was a heretic.⁴⁴ They nearly succeeded. According to Burnet Henry actually signed the paper for her arrest.⁴⁵ Then in a dramatic interview Catherine convinced the king of her innocence and turned his anger against her enemies. Gardiner soon after was in disfavor, either because of his part in the plot against the queen or because of his friendship for Norfolk.⁴⁶ Soon after this affair Gardiner and Norfolk were taken from the list of Henry's executors, and the fall of Norfolk followed shortly.

It was evident to the king's associates as 1546 drew to a close that his reign was nearing its end. All speculated as to who would rule during the minority of his nine year old son, Edward. The Earl of Hertford, Edward's uncle, and the Duke of Norfolk were the leaders of the rival factions, the parties of reform and reaction. Henry apparently had decided that the two groups should be fairly well balanced in the council which would

43 Morice, 258

44 Herbert, 263; Burnet, I, 543-4

45 Burnet, I, 543-4

46 Herbert, 263

rule after his death.⁴⁷ Then suddenly on December 12, 1546, the Duke of Norfolk and his son, the Earl of Surrey, were arrested, charged with treason, and placed in the Tower.⁴⁸

Many charges were made against the two Howards but they all amounted to the charge that they had conspired to seize control of the government after Henry's death. Surrey was a wild, impetuous man who had been in prison on several occasions for disorderly conduct and suspicion of heresy.⁴⁹ A serious charge against him was that he had "quartered the royal arms with his own" despite the herald's prohibition.⁵⁰ It was also known that he had boasted of what he would do to his enemies when his father became regent.⁵¹

Norfolk and Surrey were accused of having plotted to obtain complete control of the government by killing all the council.⁵² Rumors among the reformers said they had made a secret attempt to restore the pope and the monks.⁵³

Bess Holland, the Duke's mistress for many years, testified that he had told her that none of the Council liked him because none of them were real noblemen and because he believed in the Blessed Sacrament; that he had said the king didn't like him because he was too popular in his own county; and that he had said

 47 Pollard, Henry VIII, 421
 48 L & P, XXI, 2, 546; Sp. Cal., VIII, 526
 49 L & P, XVIII, 390; XXI, 1, 732
 50 Pollard, Henry VIII, 423
 51 Fisher, 478
 52 L & P, XXI, 2, 568; Sp. Cal., VIII, 531
 53 L & P, XXI, 2, 644

the king would die soon.⁵⁴

But all these charges were a smokescreen. The Duke and his son were put in the Tower because the rival, reforming faction headed by the Seymours had convinced the king that the Duke would be a danger to the reign of Edward. Even Burnet, no friend of Norfolk, says that

He was sacrificed at last to the king's jealousy, fearing that he might be too great in his son's infancy; and, being considered as the head of the popish party, might engage in an easy competition with the Seymours during the minority of his son: for the points he was at first examined on were of an old date, of no consequence, and supported by no proof.⁵⁵

Foreign observers on the scene agreed that Norfolk's fall was caused by opposition of the reformers, headed by Hertford.⁵⁶

The Duke protested his innocence. The day after his arrest, when he was still ignorant of the exact charges against him, he wrote to Henry that he must have been misinformed by some enemy, "...for God knows, he never thought one untrue thought against the king or his succession..." He wished to face his accusers before king and council. He did not know that he had offended any man

unless it were such as are angry with me for being quick against such as have been accused for Sacramentaries. As for religion I have told your Majesty and many others that knowing your virtue and know-

54 L & P, XXI,2, Preface, xxxvii-viii

55 Burnet, III, 301-2

56 Sp. Cal., VIII, 534, 556; L & P, XXI,2, 605, 756; Herbert, 263

ledge I shall stick to whatever laws you make;
and for this cause divers have born me ill
will, as doth appear by casting libels abroad
against me.⁵⁷

He followed this with a letter to the council, denying all the charges against him. He was particularly vigorous in denying that he had sought to restore the power of Rome. "...if he had twenty lives, he would rather spend them all than that the bishop of Rome should have any power in this kingdom again. He has read much history, and both to English, French, and Scots, he has upon all occasion spoken vehemently against it."⁵⁸

His pleas were of no avail so he wrote a confession admitting that he had "opened secret counsels of the King to various people"; that he had concealed his son's treasonable arms and had worn them himself; and that his crime was high treason. It ended with a plea for the king's forgiveness.⁵⁹ This confession was, of course, merely a desperate attempt to obtain freedom.

While in the Tower Norfolk gave all his property to Edward VI. This move had a double motive. First, it was aimed to convince the king of his loyalty. Secondly, it would prevent the distribution of his property among the Seymours and their friends and make recovery of the lands easier if the Duke should ever be restored to royal favor.⁶⁰

57 L & P, XXI, 2, 540

58 Burnet, III, 295

59 L & P, XXI, 2, 696

60 Nott, George, F., The Works of Henry Howard Earl of Surrey and of Sir Thomas Wyatt the Elder, Longman, Hurst, Rees, Orme, and Brown, London, 1815, 2 vols., I, cxv

All this availed nothing. Surrey was tried and found guilty on January 13, 1547, and beheaded a week later. Parliament met on January 18, to try the Duke. A bill of attainder was passed January 24. The king's assent was given by royal commission on January 27. Instructions were sent to the Lieutenant of the Tower to behead Norfolk the next morning.⁶¹ But Norfolk did not die the next morning after all, for shortly after midnight, January 28, Henry VIII himself died. The Duke's execution was held up and Henry's death was not announced for three days. One reason for the delay was that the group in power was trying to decide what to do with Norfolk.⁶²

Norfolk remained in prison during the entire reign of Edward VI. One of the first acts of Queen Mary was to go to the Tower and release him with her own hands. Parliament reversed the Attainder and he was restored to the position of Duke of Norfolk, August 3, 1553. He was a member of Mary's privy council and in January, 1554, he led the queen's army against Wyatt and his rebels. His troops deserted him and he lost favor. He retired to his home in Norfolk and died August 25, 1554.⁶³

61 Nott, I, cxiv

62 Nott, I, cxiv

63 D.N.B., X, 67

CHAPTER VI

CONCLUSION

In his excellent study of the English schism Constant uses the term "Henricians" to describe a group of English bishops at the time of the Reformation.¹ Chief of these prelates were Bishops Gardiner, Stokesley, Bonner, and Tunstall. They all had this in common: they consented to and aided the schismatic acts of Henry VIII but remained Catholic in doctrine, opposing the heretical group headed by Cranmer and Cromwell.

In a sense the Duke of Norfolk was a lay Henrician. He too consented to the schism but remained orthodox in faith. We have already seen that he worked closely with Bishop Gardiner, especially in the closing years of the reign.

Norfolk not only consented to the schism; he actively helped bring it about. But in all that he did in this affair he seems to have been motivated more by a desire to please the king than by a dislike of Rome. He was not the originator of any of those steps which led to the break with Rome, but whenever he was called on he gave his assistance.

The diplomacy of Henry during this period was aimed principally at preventing a coalition of powers against England, and Norfolk was one of those most responsible for its success. When

¹ Constant, I, Chapter VII

Henry wished to lull the suspicions of the Holy See at the critical time of his secret marriage and his nomination of Cranmer as Archbishop of Canterbury the Duke gave a helping hand, a task for which he was well fitted because of Rome's faith in him.

Norfolk, unwittingly perhaps, gave an impetus to the schism by helping to destroy Rome's only link with England--Cardinal Wolsey. Most important of all, he saved the reformation in England from possible disaster by suppressing the Pilgrimage of Grace. No less a friend of Henry than Burnet admits that "if it had not been for the great conduct of the Duke of Norfolk, the king had by all appearances lost his crown" at the time of the pilgrimage.²

Important too was the influence of Norfolk's example. He was the greatest noble in England and known to be a supporter of the old traditions and the orthodox faith. The fact that he assisted the king in all he did probably made it easier for other, less prominent, Catholics to consent to the changes made by the king.

Like the Henrician bishops Norfolk remained orthodox in doctrine. He was a hater and active persecutor of heretics. His influence was always thrown on the moderate side. The best proof of this is that he was hated by the heretics who considered him an enemy of the word of God. Yet it is extremely doubtful that he would have opposed Henry had the king thrown in his lot with the heretical group. There is nothing in his life to suggest

that he would have had the courage. In one of his last letters to the king, written from the Tower, he said, "as for religion I have told your Majesty and many others that...I shall stick to whatever laws you make",³ and there is no good reason to doubt it. Yet we cannot be sure. He was in prison during the whole of Edward VI's reign and died before Elizabeth came into power. Thus he had no opportunity to demonstrate the strength of his faith or his moral courage. The Henrician bishops did. To a man they opposed the heretical doctrines introduced during Edward's reign and went to prison for it.⁴

The dominant characteristic of the Third Duke of Norfolk was a cringing subservience to the will of the king. In everything he did and said the king's will was uppermost in his mind. In his long talks with Chapuys the Duke repeatedly insisted that the king's will must be done. His attitude to individuals, to groups, and to nations was guided by the same consideration. Thus, his conduct toward Catherine of Aragon and Princess Mary, both of whom he loved and revered, varied with the mood of Henry. When his nieces, Queen Anne and Queen Catherine, fell from favor he was among the first to denounce them. When Henry ordered the participants in the Pilgrimage of Grace punished Norfolk carried out this wish with great brutality despite the fact that the pilgrims were countrymen of his and were fighting for that which, in his heart, he held to be true. His policy toward France and

³ L & P, XII, 2, 540

⁴ Constant, I, 389

Spain varied with the will of his sovereign, but that may be a necessary characteristic of a diplomat.

Motivating this subservience to the king was a love of power, prestige, and wealth. His contemporaries and historians generally agree that this was the reason for his quarrel with Wolsey and Cromwell and his slavish conduct toward the king. Perhaps the hard years when his family was in disgrace and poverty made too deep an impression on him. Whatever its cause, this desire to please the king led him to acts of cruelty and hypocrisy which are a blot on his career. His unnecessary cruelty in suppressing the Pilgrimage of Grace; his obvious delight in executing large numbers of pilgrims to show his loyalty to the king; his deliberate betrayal of the pilgrims; his protestations of love for Wolsey and Cromwell; his deliberate lies to the papal nuncio, are all examples of this.

Even the Duke's family life was far from normal. It has already been pointed out that his second marriage was unhappy. For many years the Duke kept a mistress, Bess Holland. In 1532 he forced his wife to leave him⁵ but refused to allow her sufficient funds to live on and she found it necessary to appeal to Cromwell for aid.⁶ His daughter, the widow of the Duke of Richmond, tried without success to get the Duke to plead with Henry for her dower.⁷ She too had to seek Cromwell's help. Neither

5 L & P, XI, 520

6 L & P, XIV, 1, 160

7 L & P, XIII, 1, 13, 690

did the children live in harmony. As the editor of the Letters and Papers says: "Never was there less domestic love anywhere. Father and son, brother and sister, disliked each other, and the separation of the Duke and Duchess was a very old story."⁸ To climax this unpleasant domestic life Bess Holland testified against the Duke at his trial. It may be significant that there is no evidence that he had a single personal friend.

The historians of the Howard family paint this picture of the Duke:

The third Duke presents to us a typical example of the heir of a great house, brought up under the demoralising influences of the early Tudors. Originally a high-spirited youth, brave, generous, and a natural leader of men, his character had been gradually perverted in the dangerous atmosphere of the Court. Situated as he was--a descendant of the Plantagenets, married to Edward IV's daughter, and thus but a few steps removed from the throne itself--the necessity of caution and duplicity had been impressed upon him from boyhood. A single false step might have meant utter ruin to himself and his entire family; cunning and constant vigilance, on the other hand, were levers capable of raising him to the loftiest honours. So Thomas Howard learned perforce to wrap himself in that cloak of subtlety which could alone protect him through those perilous times, and which in the end became his habitual wear. Inwardly ambitious and ever plotting his own and his family's advancement, he was outwardly the obsequious courtier, who watched unmoved, and even helped to carry out the cruelties and brutalities of his despotic master. At heart a zealous Catholic, and almost fanatically

devoted to his own kindred, the third Duke of Norfolk sacrificed both religion and family affection in order to maintain the favor of Henry VIII....His whole career throughout the reign of Henry was little more than an acted lie. It was the irony of fate that such sustained hypocrisy should, after all, fail to attain its object, and that, one after another, the triumphs which he won reacted upon himself.⁹

The biographer of Norfolk's great enemy Thomas Cromwell sums up the Duke in this way:

The chief traits that characterized him were a cringing subservience to the will of the king, and a bitter hatred of any rival to his influence with Henry; a hatred which first directed itself against Wolsey...and later against Cromwell, whose opponent he was during the decade of the former's greatness. He was the equal of neither of these two statesmen; but his utter lack of honor and consistency, and his willingness to break promises in order to please the King, rendered him an invaluable servant of the Crown at a period when one startling change followed on the heels of another.¹⁰

Finally, the historians of the Pilgrimage of Grace classify Norfolk as a greater scoundrel than Cromwell and go on to say:

He [Norfolk] was simply a courtier and politician, with not a tenth of Cromwell's ability. By inclination he was conservative and favoured the old learning, but if he could advance himself by denying his politics or his faith he was quite ready to abandon either. Cromwell at least had a political end in view; Norfolk merely wished to aggrandise himself and had no other object.

Among all the record of misery, crime and brutality in the Letters and Papers of the

⁹ Brenan and Statham, 117-8

¹⁰ Merriman, Roger B., Life and Letters of Thomas Cromwell, 2 vols., Clarendon Press, Oxford, 1902, I, 83

time there is perhaps nothing more horrible than Norfolk's letters to Cromwell; the sickly expressions of good will, the filthy jokes, the grimaces of thankfulness, make them vile reading.¹¹

In fairness to the Duke of Norfolk it must be pointed out that certain circumstances alleviate to some extent his guilt, or at least help explain his unheroic conduct during the dangerous days of the English schism.

Constant has pointed out that the doctrine of papal supremacy was not as clearly understood in Norfolk's day as it is now.¹² He also makes clear that the submission of the bishops and clergy to the claims of Henry VIII made it easy for others to accept the doctrine of secular supremacy over the Church.¹³ No doubt their example influenced men like Norfolk more than the heroic sacrifice of Fisher and More and some of the Carthusians.

It must not be forgotten that Norfolk lived in times that were dangerous for men in high position. Of Henry's six queens two were divorced, two beheaded. Four English Cardinals lived during Henry VIII's reign; one was executed, one escaped it by absence, one died before he could be executed. Of four dukes who lived in that reign two were condemned to die, though Norfolk escaped with his life because his king died first. Six or seven earls and viscounts and scores of lesser nobles were

¹¹ Dodds, I, 4, 5

¹² Constant, I, Chapter I

¹³ Constant, I, 363

executed.¹⁴

It was a time when men paid almost divine worship to earthly kings. People like Anne Boleyn, Catherine Howard, Bishop Fisher, and Thomas More went to their deaths with words of praise for the king on their lips. Pollard has caught the spirit of the age and his words are a fitting conclusion to this study. Referring to the words of the dying Wolsey "If I had served God as diligently as I have done the King, He would not have given me over in my grey hairs" and to the condemned Buckingham's words "An he had not offended no more unto God than he had done to the Crown, he should die as true a man as ever was in the world" he goes on to say:

That cry echoed throughout the Tudor times...Men paid le nouveau Messie a devotion they owed to the old; they rendered unto Caesar the things that were God's. They reaped their reward in riches and pomp and power, but they won no peace of mind. The favor of princes is fickle, and 'the wrath of the King is death'. So thought Wolsey and Warham and Norfolk. 'Is that all?' said More, with prophetic soul, to Norfolk; 'then in good faith between your grace and me is but this, that I shall die today and you shall die tomorrow'.¹⁵

¹⁴ Pollard, Henry VIII, 1, 2

¹⁵ Pollard, Henry VIII, 248

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APPROVAL SHEET

The thesis submitted by Brother Edwin J. Goerd, S.M. has been read and approved by three members of the Department of History.

The final copies have been examined by the Director of the thesis and the signature which appears below verifies the fact that any necessary changes have been incorporated, and that the thesis is now given final approval with reference to content, form, and mechanical accuracy.

The thesis is therefore accepted in partial fulfillment of the requirements for the Degree of Master of Arts.

Dec 10, 1943
Date

Edmund V. Cardinal
Signature of Adviser